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Report of the Working Group on the Universal Periodic Review*

Denmark

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-fourth session from 18 to 29 January 2016. The review of Denmark was held at the 7th meeting on 21 January 2016. The delegation of Denmark was headed by the Minister for Foreign Affairs, Kristian Jensen. At its 14th meeting, held on 26 January 2016, the Working Group adopted the report on Denmark.

2. On 12 January 2016, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Denmark: Belgium, Côte d'Ivoire and Panama.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Denmark:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/24/DNK/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/24/DNK/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/24/DNK/3).

4. A list of questions prepared in advance by Mexico, the Netherlands, Norway, Slovenia, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to Denmark through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The head of the delegation said that the Government looked forward to receiving the recommendations from the current review, and thanked all national stakeholders engaged in the national consultation process leading up to the review, not least the Danish Institute for Human Rights. The high number of refugees and immigrants coming to Europe in 2015 was unprecedented. Within the European Union, Denmark had accepted a large number of asylum seekers relative to its population size, and relative to geographical size, it was one of the countries in the world providing the most humanitarian assistance to Syrian refugees. Danish policies were in full accordance with the country's international obligations.

6. Denmark had received 133 recommendations during the first universal periodic review. Of them, a total of 102 had been accepted, while 5 had been partially accepted. The head of delegation highlighted some of the actions that the recommendations from the first review had generated.

7. Responding to some of the written questions, he stated that unaccompanied asylum-seeking minors were appointed a personal representative who supported and cared for them with regard to personal issues and attended asylum interviews and other meetings with the authorities. Accommodation for all unaccompanied minors was provided at a special children's centre run by the Danish Red Cross.

8. The number of juvenile delinquents being incarcerated with adults was small; in 2015, an average of 1.3 inmates aged under 18 had been placed in a prison with adults. In some cases, separating inmates aged under 18 from adults would mean placing them in a prison far from their home, or in solitary confinement. There had been only one case of court-ordered solitary confinement of a minor since 2011.

9. The delegate of the Faroe Islands said that new residential facilities had been established in the Faroes for people with special needs, who had traditionally been offered housing and care outside the Faroes. Measures had been taken to address the low participation of women in public committees and politics and over the past three elections, the share of women in the Faroes Parliament had gone from under 10 per cent to over 30 per cent. A proposal to allow same-sex marriage had been submitted to the Faroes Parliament and legislation regarding sexual offences and protection of victims of stalking would be presented in Parliament in autumn 2016.

10. The delegate of Greenland said that the Human Rights Council of Greenland had been established and that the mandate of the Danish Institute for Human Rights had been extended to Greenland. A children's council and a children's spokesperson had been appointed as part of the Children's Rights Institution in order to increase awareness of children's rights and living conditions. A strategy and action plan against violence had been adopted, particularly targeting domestic violence. Combating violence and improving conditions for children would be a major priority in the forthcoming years. A consultancy unit had been established to assist social services to improve their performance in cases involving children.

B. Interactive dialogue and responses by the State under review

11. During the interactive dialogue, 86 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

12. Bulgaria commended Denmark for its ratification of several instruments since the first review, the establishment of the Office for Children and the Greenland Human Rights Council. It appreciated the efforts to combat domestic violence, discrimination and trafficking, which were reflected in several national action plans.

13. Burkina Faso noted that Denmark had made significant progress in improving the normative and institutional framework on the rights of the child, vulnerable persons, persons with disabilities, refugees and migrants, and on nationality rights. It urged Denmark to continue focusing on protecting human rights, especially those of migrants and refugees, and to strengthen human rights cooperation between the two countries.

14. Iceland applauded efforts to place human rights at the forefront of the national agenda and urged the Government to live up to the high human rights and humanitarian standards of Denmark and refrain from taking any measures that would undermine its international obligations towards refugees.

15. Chile recognized the institutional and legal framework for protecting and promoting human rights, through ratification of international instruments and the standing invitation to the special procedures, and highlighted the action plans relating to gender equality and the implementation of Security Council resolution 1235 (2000).

16. China noted the efforts to promote and protect the rights of children, persons with disabilities, refugees and migrants and to advance gender equality. It also noted the National Action Plan to Combat Human Trafficking (2015-2018).

17. Colombia welcomed the extensive information that Denmark had provided for the review and its achievements in the protection and promotion of the rights of children and in guaranteeing the rights of lesbian, gay, bisexual, transgender and intersex persons.

18. Costa Rica welcomed the role of Denmark as an advocate of the International Criminal Court and hoped that it would continue those efforts. Costa Rica also welcomed the creation of the expert committee on the incorporation of human rights instruments into Danish law and other policy measures, but was concerned about cases of discrimination against members of minorities.

19. Côte d'Ivoire commended Denmark for its cooperation with international human rights institutions, its accession to legal instruments, its adoption of the third National Action Plan for implementation of Security Council resolution 1235 (2000) and the entry into force in 2012 of new rules on family reunification for the benefit of children.

20. Djibouti welcomed the adoption of the third National Action Plan for implementation of Security Council resolution 1325 (2000) and the integration of a greater number of children with disabilities in mainstream education. It expressed concerns about discrimination against minorities, including Muslims.

21. Ecuador appreciated the efforts Denmark had made since the first review, including its adoption of legislation to combat domestic violence and to facilitate voting for persons with disabilities. Ecuador was deeply concerned about legislation requiring refugees to relinquish their valuables.

22. Egypt welcomed developments since the first review, including enhanced human rights education. It was concerned about the adoption of restrictive policies on migration and asylum seekers, including the new law on confiscating valuables, and increasing reports of hate crimes and racist discourse.

23. Spain welcomed the adoption of the third National Action Plan for implementation of Security Council resolution 1235 (2000). It appreciated the efforts Denmark had made to investigate hate crimes and to integrate children with disabilities in mainstream education.

24. Finland appreciated the involvement of civil society in the universal periodic review process and encouraged Denmark to adopt a legislative framework to protect women from psychological violence. It noted the concerns of the Committee on the Elimination of Discrimination against Women about the adverse impact of the existing legislation on citizenship on stateless women and girls.

25. Georgia appreciated the new laws adopted and the action taken since the first review, including the strengthening of the advocacy role of the National Council for Children and the establishment of the Office for Children. It encouraged the practice of submitting midterm implementation reports.

26. Germany commended Denmark for its commitment to upholding human rights and increased efforts to place human rights at the forefront of its national agenda.

27. Ghana noted the establishment of the Office for Children as part of the Danish Parliamentary Ombudsman Institution and the reform of the Disability Pension since the first review. It applauded Denmark for having implemented a significant number of the recommendations from that review.

28. Greece highlighted progress made in the protection of children, especially vulnerable children, efforts to reduce bullying in schools and progress achieved on the rights of persons with disabilities. It welcomed the results of efforts to promote the rights of lesbian, gay, bisexual, transgender and intersex persons and to increase gender equality and women's participation in the labour market.

29. Guatemala noted that Denmark had made undeniable progress, particularly its establishment of an expert committee to examine the incorporation of international human rights instruments into law, but was concerned that the Supreme Court had stated that treaties that were not incorporated into domestic law did not have a direct effect on the domestic legal order.

30. Honduras thanked the delegation of Denmark for its report and made recommendations.

31. Hungary noted that restrictions in the mandate and powers of the Office for Children had resulted in the majority of complaints being refused. It encouraged Denmark to comply with the recommendations of the relevant monitoring bodies of the Council of Europe, particularly by reinforcing linguistic rights and taking additional measures to combat manifestations of intolerance, racism and xenophobia.

32. Italy welcomed the ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention), the legal amendment allowing dual citizenship, and increased protection measures for children with special needs and persons with disabilities.

33. Indonesia commended Denmark for its achievements, particularly on the rights of children and persons with disabilities, and its contribution to promoting universal ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment through the Convention against Torture Initiative. Indonesia noted challenges relating to hate crime and the need to take further measures to fully implement migrants' rights.

34. The Islamic Republic of Iran expressed concern at discrimination against minorities, especially Muslims, and migrants in employment, education and housing, at the increase in hate speech directed at refugees and Muslims on social media, and at the large number of children living without their parents and cared for outside the home.

35. Iraq commended Denmark for its legislative achievements, especially on the rights of children and persons with disabilities, its efforts to meet the needs of refugees and integrate them in society, in line with regulatory frameworks and amendments to integration law, and its adoption of laws prohibiting hate speech.

36. Canada noted the national action plans to stop violence against women and encouraged Denmark to pursue its efforts to protect women and girls from intimate partner violence.

37. Japan commended Denmark for its role in prohibiting torture and promoting gender equality. Japan was concerned at reported discrimination against persons belonging to minorities and non-citizens in relation to employment, education and housing and xenophobic discourse in the media. It welcomed initiatives to help migrants and refugees to integrate in society.

38. Kyrgyzstan praised Denmark for its continuous efforts to exercise its responsibility to uphold human rights standards and for its commitment to enhancing the promotion and protection of human rights.

39. Lebanon commended Denmark for its commitments to protecting and promoting human rights, particularly those of children, and its efforts to combat discrimination and xenophobia through various policies and rigorous standards, reflecting its commitments to human rights in general.

40. Libya welcomed the delegation, thanked it for presenting the national report and made recommendations.

41. Denmark emphasized that the Government regarded hate speech and hate crimes, online or not, as a high priority area in crime prevention. A monitoring programme had been launched, the results of which should facilitate better plans and national strategies on hate crime prevention in the future.

42. Danish legislation ensured comprehensive protection against discrimination on the grounds of race and ethnic origin. In an effort to promote tolerance and combat racism and xenophobia, the authorities, non-governmental organizations (NGOs) and civil society had carried out several initiatives.

43. The delegation, responding to comments, noted that in 2015, temporary protection status had been introduced for asylum seekers entitled to asylum on the basis of the general situation in their home country. Only about 20 per cent of those who had been granted asylum fell under the temporary protection status category. In general, the right to family reunification was deferred for that group. Exceptions to the deferral were made based on an individual assessment in each case, ensuring observance of the country's international obligations and ensuring that, where individual circumstances dictated it, family reunification was granted within the initial one-year period. That could be extended to three years pending a proposal that would be debated in Parliament.

44. Regarding seizure of valuables, the Danish welfare State was based on the principle that the State would provide and pay for individuals who were unable to take care of themselves. It would therefore provide for asylum seekers who were unable to take care of themselves. The authorities would be given the power to seize valuables, such as cash, that had a value of over approximately US$ 1,500 in order to cover expenses such as subsistence and housing during the processing of the asylum application. It was a misconception that that authorities would seize jewellery that was of sentimental value to the owner.

45. Newly arrived asylum seekers could be detained only when it was necessary to complete the registration and identification process and would be released immediately after completion of that process. Rejected asylum seekers could be detained only if they did not cooperate on their return and if deportation was possible. Both rules were in conformity with the international obligations of Denmark. A rule had been introduced suspending automatic access to judicial review of a detention within three days. The rule could be applied only in a period when there was a significant increase in refugees and migrants. On request, the lawfulness of a detention would be decided by a court as soon as possible.

46. Responding to a question, the delegation said that all newly arrived immigrants and refugees were offered training in the Danish language and on the basic functions of society, as well as activities to facilitate their access to the labour market or an education. Civil society played an important role in the integration process. For example, the Danish Red Cross ran a project offering a Danish friend to all newly arrived refugees to encourage and support their understanding of how Danish society worked while building bridges between cultures and fostering better cross-cultural understanding.

47. Denmark had made a commitment to ratify the International Convention for the Protection of All Persons from Enforced Disappearance. Denmark was currently examining the need for legislative amendments for Greenland and the Faroes in order to meet the obligations under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. Denmark was party to the International Covenant on Economic, Social and Cultural Rights and committed to its full implementation. However, many social and economic rights entailed important macroeconomic choices better decided upon in a parliamentary setting. Therefore there was no intention to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. Denmark found that the International Convention on the

Protection of the Rights of All Migrant Workers and Members of Their Families did not consistently distinguish between migrant workers legally residing in a host country and migrant workers staying illegally. Granting social benefits to illegal migrant workers would undermine the Danish welfare State and encourage illegal migration. Denmark had ratified all the core conventions of the International Labour Organization (ILO) on workers' rights, which encompassed foreign nationals legally residing in Denmark.

48. The delegation stressed that an extensive evaluation had already been made, in the wake of the terror attacks in Paris and Copenhagen, of the level of preparedness of Denmark for acts of terror, which had led to initiatives to secure adequate safeguards against terror.

49. Lithuania welcomed the ratification by Denmark of the Istanbul Convention and its efforts to combat trafficking in children. Lithuania appreciated the cooperation of Denmark with OHCHR and its regular financial support to it.

50. Malaysia acknowledged initiatives aimed at improving the rights of persons with disabilities, at tackling child pornography and at raising awareness on human rights in business. Malaysia expressed concern at the proposal to confiscate cash and valuables from asylum seekers and urged Denmark to reconsider.

51. Maldives congratulated Denmark on its progress since the previous review and welcomed the adoption by Greenland of the Gender Equality Act in 2013 and the 2014-2017 Strategy and Action Plan against Violence.

52. Mexico acknowledged the progress made in the promotion and protection of human rights since the first cycle.

53. Montenegro welcomed steps to improve the legislative framework on the protection of children, persons with disabilities and lesbian, gay, bisexual, transgender and intersex persons. It noted the new monitoring system for hate crimes and the revised guidance on handling such cases. Montenegro shared the concern of the Committee on the Elimination of Racial Discrimination about the increase in xenophobia and political propaganda targeting non-citizens and racist publications in the media.

54. Morocco welcomed the focus of Denmark on protecting the rights of children, vulnerable groups, asylum seekers and migrants as part of its efforts to implement the normative, institutional and legislative framework. It congratulated Denmark on its commitment and efforts to combat torture, especially through the international Convention against Torture Initiative.

55. Mozambique noted the progress Denmark had made by following the Guiding Principles on Business and Human Rights and adopting action plans for persons with disabilities and to combat human trafficking. Mozambique referred to consultations on accession to Protocol No. 12 of the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights).

56. Namibia commended Denmark for its efforts to promote and protect children's rights, including through the amendment of nationality laws. Namibia remained concerned about the solitary confinement of children. It noted that the amendments to the Integration Act and the Aliens Act had improved the situation for refugees and migrants.

57. Nepal welcomed the entry into force of laws protecting children, vulnerable persons, persons with disabilities, refugees and migrants and concerning nationality rights. It appreciated the provision of development assistance to foster socioeconomic development, the support of Denmark for capacity-building in national human rights institutions and its financial contributions to OHCHR and other mechanisms.

58. The Netherlands encouraged Denmark to continue putting human rights at the forefront of policy, including when confronted with external challenges, as Europe currently faced. The Netherlands called for children's and young people's self-experienced gender to be recognized as authentic and legitimate.

59. New Zealand commended Denmark for its progress on gender pay equity. New Zealand referred to the challenges caused by the Syrian conflict, including the sudden influx of people into Denmark. It acknowledged efforts to address hate crimes.

60. Nicaragua highlighted progress in implementing recommendations related to children, persons with disabilities and gender equality. Nicaragua encouraged Denmark to continue combating human trafficking and to take into consideration recommendations made in other forums, including ILO.

61. Norway commended Denmark for establishing the Office for Children, while identifying limitations in its mandate, and for strengthening the Criminal Code and penalizing non-consensual sex with a victim in "helpless state" as rape. Norway noted that the legislation of the Faroe Islands lagged behind, particularly as it included a reduced penalty for rape and sexual violence within marriage.

62. Pakistan noted that little progress had been made in terms of giving consideration to cultural and religious sensitivities when designing social integration policies and programmes. Pakistan was concerned at the treatment of victims of trafficking and at the increasingly negative political discourse on migrants, especially Muslims, which was adversely affecting their socioeconomic situation.

63. Panama welcomed the ratification by Denmark of international human rights instruments, including the Optional Protocol to the Convention on the Rights of Persons with Disabilities.

64. The Philippines appreciated improved policies on migrants and asylum seekers, particularly the shift in the selection criteria for refugees, and the increased assistance for victims of trafficking. While the Philippines welcomed initiatives to protect and promote women's rights, it was concerned at the persistence of domestic violence.

65. Poland appreciated the adoption in Greenland of the Gender Equality Act, the National Action Plan to Combat Human Trafficking and the action plan against violence in the family and in intimate relations. Poland welcomed the appointment in Greenland of the Minister for Gender Equality.

66. Portugal welcomed the establishment of the Office for Children and the ratification of the Istanbul Convention. It expressed concern about the progressive deterioration in conditions for asylum seekers and immigrants, including the detention of migrant children and the confiscation of refugees' belongings.

67. The Republic of Korea observed the progress Denmark had made in ensuring the rights of children and persons with disabilities in institutional and practical terms, and appreciated its efforts to reduce solitary confinement, particularly for juveniles.

68. The Republic of Moldova recognized the establishment of the Office for Children and the initiatives taken to safeguard the rights of vulnerable children and children at risk, but was concerned about children in institutional care and action taken to combat domestic violence, particularly as it affected children.

69. The Russian Federation was concerned that, despite the avowed commitment of Denmark to observing human rights standards, the situation was far from being beyond reproach. The Russian Federation expressed particular concern about the human rights situation of migrants and refugees.

70. Saudi Arabia commended the efforts taken to guarantee a better future for Danish citizens regardless of their origins. It was concerned, however, about reports of racism and discrimination based on religious beliefs, and denounced Islamophobia.

71. Serbia welcomed school reforms to improve academic results, increase pupils' well-being and reduce bullying, and commended efforts to eliminate discrimination against marginalized groups, particularly measures to combat sexism, stereotypes and harassment based on gender expression.

72. Singapore welcomed efforts to strengthen integration and ensure educational opportunities for ethnic minorities and recognized the challenges and opportunities posed by ethnic and religious diversity and the importance of maintaining social cohesion.

73. Slovakia acknowledged progress on implementing recommendations, including identifying law enforcement officials, and welcomed protection measures for vulnerable groups, particularly the new hotline for domestic violence victims. It noted that protection from bullying in schools was insufficient owing to the lack of clarity of the law and the failure to comply with it.

74. Slovenia welcomed the establishment of the Office for Children and the inclusion of the rights of the child in the teacher training curriculum, but noted problems with discrimination and segregation in schools, the education of children in alternative care and solitary confinement.

75. South Africa welcomed the adoption of a national strategy on gender mainstreaming and efforts to combat poverty and encouraged Denmark to promote, protect and fulfil human rights, including the right to development.

76. Estonia welcomed the efforts made by Denmark to protect children's rights, highlighting the establishment of the Office for Children and the helpline for children of divorced parents. It also welcomed the role of Denmark in promoting gender equality and women's rights, notably the results achieved in terms of women's participation in the labour market and decision-making positions. Estonia underlined the importance of the Greenland Human Rights Council and commended Denmark for its role in humanitarian aid and helping torture victims.

77. Sri Lanka noted the continued efforts of Denmark to develop its legislative and institutional frameworks to ensure human rights protection for its citizens, particularly children's rights through the establishment of the Special Office, and to increase the number of women in management positions and protect women from domestic violence.

78. Denmark would continue to allocate 0.7 per cent of its gross national income to development assistance and encouraged other countries to meet the recommended target for development assistance. It urged all countries to ensure that their citizens benefited fully from economic growth by combating bad governance and corruption.

79. Victims of human trafficking could apply for asylum or a residence permit like other foreign nationals. However, a residence permit would not be granted solely on the grounds that the person was a victim of trafficking. Circumstances relating to that fact might, however, be of relevance in the asylum assessment. If a victim of trafficking applied for asylum, a procedural stay would be granted while the case was processed.

80. The Children's Office within the Ombudsman Institution constituted an additional guarantee of legal protection of children in Denmark, when all other relevant means had been exhausted. It did not replace the existing complaints system.

81. Responding to a question on mother tongue teaching to children from non-European countries, the delegation said that an experimental programme designed to examine the effects of different teaching modules had been launched; about 3,500 pupils from 210

schools would participate in it. Regarding bullying, the focus was on empowering individual public primary and lower secondary schools to formulate an anti-bullying strategy.

82. The Government placed great importance on reducing the use of coercion in psychiatry. Funds had been allocated for trial runs with force-free units in psychiatric care. A task force had been formed to monitor the trials, which aimed for a 50 per cent reduction by 2020 in coercive measures and in the use of immobilization.

83. Responding to a question, the delegation said that the legal system already had a number of provisions prohibiting discrimination within and outside the labour market. Denmark was currently considering taking adequate measures to prohibit discrimination on the ground of disability.

84. The State of Palestine commended the progress made, including the establishment of an expert committee to examine the incorporation of international instruments. It noted the positive initiatives taken in promoting children's rights and welcomed the steps taken with regard to business and human rights, including the institution for responsible business.

85. Sweden commended efforts to improve gender equality while noting the need for continuous improvement to achieve equal opportunities for men and women. It expressed concern about the tendency for public discourse to be prejudicial towards migrants, sometimes even amounting to hate speech.

86. Thailand encouraged Denmark to expedite the revocation of territorial reservations of the human rights instruments for Greenland and Faroe Islands. It welcomed the Action Plan for Gender Equality and the limited use of solitary confinement as a disciplinary measure for inmates.

87. Tunisia noted the adoption of policies and measures for the implementation of recommendations from the first review and welcomed the excellent cooperation with treaty bodies and the commitment to official development assistance.

88. Turkey noted that Denmark hosted a relatively high number of refugees and welcomed humanitarian aid efforts and development programmes worldwide. It encouraged Denmark to strengthen efforts to eliminate racism, xenophobia and discrimination in society. It remained concerned about restrictions on family reunification.

89. Uganda noted the progress made since the last review, including the adoption in Greenland of the Gender Equality Act and the improvement of living conditions for asylum seekers and immigrants and their integration in society. It also noted that the amendment to the Aliens Act placed more restrictions on obtaining residence permits and that decisions of the Refugee Appeals Board could not be appealed before a court.

90. Ukraine commended efforts to improve the legislative framework on the protection of children, vulnerable people, asylum seekers and migrants and noted that between 2013 and 2015, Denmark had ratified or signed four international conventions. Ukraine encouraged Denmark to ratify the remaining conventions. Ukraine noted the steps taken towards implementation of the universal periodic review recommendations.

91. The United Arab Emirates recognized the commitment of Denmark to human rights and praised the measures it had taken to promote the rights of children and persons with disabilities, while expressing concern at reports of discrimination against minorities, such as Muslims.

92. The United Kingdom welcomed the action taken to limit the length of pretrial custody and the support of Denmark for universal ratification and implementation of the Convention against Torture and the Optional Protocol thereto. It urged continued efforts to

prevent sexual and gender-based violence and to ensure that perpetrators were brought to justice and survivors given better support.

93. The United States of America encouraged continued efforts to address violence against women and domestic violence and to promote religious freedom. It urged Denmark to increase incentives for victims to secure their cooperation in the prosecution of traffickers. It expressed concern about the pending bill that would permit asylum seekers to be searched and their cash and valuables seized.

94. Uruguay commended Denmark for the high number of reports submitted to the treaty bodies. It noted the initiatives taken in protecting the rights of children and persons with disabilities and the advances made in relation to lesbian, gay, bisexual and transgender persons.

95. The Bolivarian Republic of Venezuela welcomed the adoption in Greenland of the Gender Equality Act, the establishment of the 24-hour hotline for victims of domestic violence and the adoption of the Disability Pension and Flexi Job scheme. The reform of State schools was an important step for increasing student welfare and reducing bullying.

96. Afghanistan appreciated the commitment of Denmark to a holistic and inclusive approach to refugees and immigrants and noted incentives to promote gender equality. It acknowledged the intention of Denmark to collaborate with national stakeholders in the application of human rights.

97. Albania commended Denmark for its Disability Policy Action Plan of 2013 and encouraged further endeavours to improve the protection of human rights, particularly focusing on gender equality and women from ethnic minority groups.

98. Algeria welcomed measures to combat domestic violence, the amendments to the law on nationality, initiatives to promote gender equality and the plan to combat trafficking in persons.

99. Argentina congratulated Denmark on the progress made in protecting persons with disabilities following the implementation of the Disability Policy Action Plan of 2013. It noted the new rules concerning family reunification.

100. Armenia noted the positive developments since the first review, particularly those relating to children and persons with disabilities. It welcomed the amendment to the Nationality Act allowing for dual citizenship. It appreciated the fact that the Universal Declaration of Human Rights continued to be taught in schools.

101. Australia commended Denmark for its accession to the Optional Protocol to the Convention on the Rights of Persons with Disabilities. It welcomed the increased protection for children who were vulnerable to human trafficking, as well as initiatives to address gender inequality and violence against women and children. It noted the high level of discrimination against indigenous people, migrants and minority groups.

102. Austria commended efforts to implement recommendations, including the ratification of the Optional Protocol to the Convention on the Rights of Persons with Disabilities. It expressed concern about amendments to the Aliens Act resulting from the refugee situation in Europe, and about the low number of cases of sexual and physical violence against women, stalking or harassment that went to trial or resulted in conviction, given the high number of reported cases.

103. Azerbaijan shared the concerns of several treaty bodies regarding the existence of problems related to discrimination, xenophobia, hate speech, Islamophobia, ethnic profiling, domestic violence, and minorities' and non-citizens' access to housing, health services, education and justice.

104. Bahrain expressed concern about racial discrimination and discrimination against ethnic groups and nationalities in terms of access to work, education and housing, as well as restrictions on family reunification and the negative political discourse on migration that was still widespread in political debates.

105. Belarus noted the continuous work of Denmark to improve its legal norms to protect human rights. It was concerned about reports in the mass media of racist speech from some politicians.

106. Benin expressed appreciation for the progress made in implementing the recommendations from the first review and noted measures to improve conditions for persons with disabilities by reforming the Disability Pension and Flexi Job scheme, the amendment to the Nationality Act and the situation of migrants and refugees.

107. The Plurinational State of Bolivia underscored the creation of the Office for Children.

108. Botswana commended the reform of the Disability Pension and Flexi Job scheme, the amendment to the Nationality Act and the establishment of the National Cyber Crime Centre. It noted reports of racial profiling, and of persons from minority groups and non-citizens facing structural discrimination with regard to access to employment, housing, health services, quality education and justice. It also noted the pretrial detention of children under 17.

109. Brazil noted the efforts to improve the general situation of human rights through the adoption of laws regarding children, vulnerable persons and persons with disabilities, lesbian, gay, bisexual and transgender persons, refugees and migrants. Brazil was concerned about the situation of the increasing number of migrants, many of whom faced serious difficulties with the process of integration.

110. France welcomed the efforts of Denmark to combat torture and promote international criminal justice, particularly the work of the International Criminal Court.

111. Ireland commended Denmark for publishing its National Action Plan on the implementation of the Guiding Principles on Business and Human Rights. Ireland noted with concern the amendments to the Aliens Act, which placed restrictions on family reunification for persons possessing temporary protection status.

112. Denmark stated that children placed in alternative care in a municipality other than their municipality of residence had to receive an educational offer within three weeks, during which time one-on-one education had to be offered to the child. Exceptions were made where the former municipality of residence could approve another educational offer for the child.

113. Denmark had in practice made every ministry responsible for assessing the gender impact of their new legislation. A strategy had been launched aiming at strengthening and systematizing gender mainstreaming done by public authorities. At the local level, a booklet had been published for municipalities with tools, best practices and recommendations for working with gender equality assessment activities.

114. The Refugee Appeals Board was an independent, quasi-judicial body that could not accept or seek direction from the Government. Its decisions were final. The Immigration Service was the first instance responsible for assessing claims for asylum. If the Immigration Service rejected an asylum application, the case would automatically be appealed to the Refugee Appeals Board.

115. Responding to a question, the delegation clarified that only persons under the most serious form of legal guardianship were precluded from voting in Danish Parliamentary elections.

116. The Faroe Islands had begun to look into different national monitoring mechanisms in the field of human rights that would be appropriate for Faroese society and that were in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

117. In Greenland, a mobile task force had been set up to help adults cope with psychological complications resulting from abuse in childhood. Corporal punishment of children was expected to be fully abolished by legislation adopted in 2016. A shelter had opened offering nationwide crisis and treatment services for battered women and their children. Two surveys addressing the extent of sexual abuse in Greenland would strengthen initiatives and actions in response to sexual abuse. Education was a priority in Greenland, which was making substantial investments in it, including with financial support from the European Union. Denmark had only one indigenous people according to the definition contained in the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) — the Inuits. That did not mean, however, that the Inughuit of Uummannaq were not capable of maintaining their identity and the use of their own language.

118. Denmark would remain vigilant in its work to promote and protect human rights and to actively contribute to improving the rights of people around the world. Denmark would formally launch its candidacy to the Human Rights Council for the period 2019-2021 at the opening of the thirty-first session.

119. Denmark appreciated all the views, questions and recommendations. The many recommendations would be subject to careful consideration and internal discussions and consultations with Greenland, the Faroes, local authorities and civil society. Denmark would respond to the recommendation at the June session of the Council.

II. Conclusions and/or recommendations**

120. **The following recommendations will be examined by Denmark which will provide responses in due time, but no later than the thirty-second session of the Human Rights Council in June 2016:**

120.1 **Consider signing and ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Italy); Consider ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Ghana);**

120.2 **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Montenegro) (France) (Portugal) (Tunisia);**

120.3 **Withdraw the territorial exclusion for Greenland and the Faroe Islands to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Canada);**

120.4 **Work with the Greenland authorities to withdraw the territorial reservation for Greenland to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (United Kingdom of Great Britain and Northern Ireland);**

120.5 **Advance the ratification of the pending international instruments, including the International Convention on the Protection of the Rights of All**

** The conclusions and recommendations have not been edited.

Migrant Workers and Members of Their Families, in accordance with the recommendations of the Committee on the Elimination of Racial Discrimination (Chile);

120.6 **Consider the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Indonesia) (Sri Lanka) (Ghana) (Philippines);**

120.7 **Accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ecuador);**

120.8 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Algeria) (Azerbaijan) (Benin) (Egypt) (Honduras) (Islamic Republic of Iran);**

120.9 **Sign and ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Uruguay) (Turkey);**

120.10 **Ratify and implement the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Kyrgyzstan);**

120.11 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and fully recognize the competence of the Committee on Enforced Disappearances, as provided for in articles 31 and 32 of the Convention (Germany) (France);**

120.12 **Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearances (Ghana);**

120.13 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Panama) (Tunisia) (Uruguay) (Portugal) (Montenegro);**

120.14 **Take necessary steps to ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Slovakia);**

120.15 **Internalise as soon as possible the following international human rights treaties: the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, as well as ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Brazil);**

120.16 **Ratify ILO Convention 189 of 2011 on domestic workers (Benin);**

120.17 **Consider ratifying ILO Convention 189 (Philippines);**

120.18 **Reconsider the constraints underneath the process of accession to Protocol No. 12 to the European Convention on Human Rights (Mozambique);**

120.19 **Accede to Protocol No. 12 to the European Convention on Human Rights and ensure implementation of concrete measures against all forms of discrimination (Uruguay);**

120.20 **Incorporate core United Nations human rights treaties into domestic legislation (Azerbaijan);**

120.21 **Incorporate the international instruments it acceded to into domestic legislation (Egypt);**

120.22 **Incorporate the human rights conventions into national law (Guatemala);**

120.23 **Bring legislation, including the Criminal Code, in line with the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination (Kyrgyzstan);**

120.24 **Modify the criminal code to harmonize its provisions with those of the International Convention on the Elimination of All Forms of Racial Discrimination (Benin);**

120.25 **Adopt comprehensive anti-discrimination legislation (Maldives);**

120.26 **Explicitly prohibit discrimination against persons with disabilities and discrimination based on religious belief (Djibouti);**

120.27 **Amend the relevant laws so that all persons with disabilities could vote and stand for election (Albania);**

120.28 **Amend laws to ensure that all persons with disabilities could vote and stand for election (Maldives);**

120.29 **Strengthen its legislation, in particular the Penal Code, in order to harmonize its provisions with the International Convention on the Elimination of All Forms of Racial Discrimination (Côte d'Ivoire);**

120.30 **Incorporate into the Criminal Code an outright ban on the activities of organizations which promote racial discrimination (Russian Federation);**

120.31 **Amend the Penal Code in the Faroe Islands to ensure that the definition of rape is brought in line with international standards and criminalized in all circumstances, including within marriage (Norway);**

120.32 **Complete the amendments expected to be carried out on the crime of rape in the Criminal Code of the Faroe Islands (Spain);**

120.33 **Ensure that the definition of rape in the Faroese legislation is brought into line with international standards so that rape is criminalized in all circumstances, including within marriage (Iceland);**

120.34 **Strengthen its regulatory and policy framework, in accordance with international human rights standards, for the effective protection of asylum seekers and refugees (Ecuador);**

120.35 **Decriminalize defamation and place it within a civil code in accordance with international standards (Estonia);**

120.36 **Eliminate discrimination against migrants, and especially migrant women (Maldives);**

120.37 **Refrain from passing discriminatory legislation that are based on bias against foreigners and refugees (Lebanon);**

120.38 **Amend the new Aliens law on confiscating valuable belongings to cover refugees' expenses to ensure compatibility with human rights obligations (Egypt);**

120.39 **Consider amending the Aliens Act in order to ensure that refugees and other beneficiaries of international protection and their family members can exercise their right to long term residence (Plurinational State of Bolivia);**

120.40 **Ensure that the review of counter-terrorism legislation take account of, and that the relevant legislation be amended in full compliance with, Denmark's human rights obligations (Hungary);**

120.41 **To the Faroe Islands: Establish a National Human Rights Institution covering the Faroe Islands according to recommendations made by the United Nations General Assembly (1994) and the Committee on Economic, Social and Cultural Rights (2013) (Poland);**

120.42 **Provide the Special Office for Children with a mandate and additional powers to enable it to provide advisory and legal assistance in a wider range of cases (Germany);**

120.43 **Increase the mandate and powers of the Special Office for Children to provide advisory or legal assistance in a wider range of cases (Hungary);**

120.44 **Strengthen the mandate of the Special Office for Children and give the Office additional powers to provide advisory and legal assistance in a wider range of cases (Norway);**

120.45 **Strengthen the mandate of the Office for Children and guarantee children direct access to a single complaints mechanism and to independent advice and legal assistance for children in a wider range of cases (Ireland);**

120.46 **Consider the development of a national action plan for the promotion and protection of human rights (Georgia);**

120.47 **Develop a National Action Plan for Human Rights in order to framework a systematic and comprehensive approach to the promotion and protection of human rights (Indonesia);**

120.48 **Establish a national action plan against racism, work for tolerance and preserve freedom of belief (Djibouti);**

120.49 **Develop a national plan against racism and discrimination, in accordance with its international obligations (Costa Rica);**

120.50 **Develop a plan of action to combat racism (Russian Federation);**

120.51 **Strengthen national action plans that promote tolerance and intercultural understanding, in order to prevent and counter racist and xenophobic acts, particularly those arising from political propaganda (Chile);**

120.52 **Develop a national plan for combating hate crimes in order to ensure continuity and sustainability (Poland);**

120.53 **Develop a comprehensive strategy and action plan to combat xenophobia and racial discrimination (Turkey);**

120.54 **Establish an independent mechanism to defend the rights of children on Faroe Islands (Benin);**

120.55 **Ensure that its policies, legislation, regulations and enforcement measures effectively serve to prevent and address the heightened risk of business involvement in abuses in conflict situations, which includes situations of foreign occupation (State of Palestine);**

120.56 **Build on existing inclusion strategies by implementing public awareness campaigns and education programmes to promote diversity and tolerance, while condemning racism and xenophobia (Canada);**

120.57 **Increase efforts to promote tolerance and intercultural understanding with the aim of eliminating discrimination against minorities and non-citizens (Japan);**

120.58 **Encourage highly placed State officials and politicians to take a clear stance against racist and xenophobic political discourse (Tunisia);**

120.59 **Implement public awareness campaigns to promote tolerance and respect for cultural diversity and to counter prejudice, stereotypes, discrimination, racism, and Islamophobia (United Arab Emirates);**

120.60 **Build tolerance and intercultural understanding, and develop a national action plan on racism (Albania);**

120.61 **When responding to hate crimes, ensure targeted training of law enforcement to strengthen capacity to conduct special investigations, accurately register complaints and reflect victims' perspectives (Canada);**

120.62 **Provide basic human rights education to children in primary and secondary schools (Slovenia);**

120.63 **Make teaching on genocide and crimes against humanity a part of curriculum in public schools (Armenia);**

120.64 **Expressly prohibit discrimination against persons with disabilities as well as religious belief, sexual orientation or age, outside the labour market (Bulgaria);**

120.65 **Enhance and improve laws and legislation to combat all forms of discrimination, racism and foreign hatred (Lebanon);**

120.66 **Review its body of legislation prohibiting discrimination on any grounds, and in this regard, expressly prohibit discrimination due to disability, age, religious belief, sexual orientation or gender identity (Canada);**

120.67 **Continue the strengthening of the comprehensive regulatory framework that prohibits discrimination, including that based on gender, and promote coordination between the competent bodies and facilitate the reporting of such crimes by persons in situations of vulnerability (Mexico);**

120.68 **Consider enacting comprehensive equality legislation that will provide effective remedies and address discrimination on all grounds (Serbia);**

120.69 **Adopt the necessary legislative measures to ensure the integration of the gender perspective in all public policies at all levels of government, and prohibit and punish discrimination based on gender (Honduras);**

120.70 **Take more effective measures to combat racial discrimination and intolerance against migrants, and improve the legislative framework with the aim of fostering social acceptance of migrants (Italy);**

120.71 **Continue its efforts to further mainstream gender equality in the public sphere as well as to combat domestic violence to protect the rights of women in the private sphere (Thailand);**

120.72 Continue progress to increase gender equality and protections for women and girls who encounter violence including enhanced implementation of Denmark's existing legal and policy frameworks (Australia);

120.73 Engage in dialogue and offer assistance to the autonomous authorities of the Faroe Islands and Greenland to introduce legislative changes in favour of women's rights and equality (Costa Rica);

120.74 Counter discrimination and promote a more inclusive society (Australia);

120.75 Develop and implement a national action plan to cultivate a culture of respect and tolerance and promote intercultural understanding (Maldives);

120.76 Adopt legislation to prohibit all forms of discrimination on the basis of race, colour, ethnicity, age, religion and disability and to ensure access to effective remedy for victims of discrimination (Islamic Republic of Iran);

120.77 Enhance the promotion of dialogue among societies, including inter-religious and inter-cultural dialogue in the country (Indonesia);

120.78 Continue its efforts to fight hate speech in different State institutions through the establishment of tolerance and understanding between cultures (Iraq);

120.79 Pay more attention to the problems of discrimination against non-ethnic Danes and multicultural relations (Kyrgyzstan);

120.80 Step-up measures to effectively combat racism and xenophobia while inculcating respect, tolerance and intercultural understanding, especially in schools (Malaysia);

120.81 Continue efforts to prevent various forms of discrimination, including discrimination based on ethnic origin (Morocco);

120.82 Take effective policy measures in order to combat racism, intolerance, stereotypes and unlawful attitudes against ethnic and religious minorities and take legislative measures that prohibit hate speech (Namibia);

120.83 Continue to implement measures to eliminate discrimination, including on the basis of ethnic or religious background (New Zealand);

120.84 Continue working on programmes to combat discrimination, particularly against persons belonging to minorities or vulnerable groups (Nicaragua);

120.85 Take concrete measures to put an end to Islamophobia and hate speech regarding Muslims, which continues to be widespread in public and political debate (Islamic Republic of Iran);

120.86 Take effective measures to encourage tolerance and to combat illegal stands and stereotypes against minorities, in particular Muslims (Saudi Arabia);

120.87 Combat racism and xenophobia, and strengthen efforts at promoting intercultural understanding and tolerance (South Africa);

120.88 Step up efforts to fight racial prejudice and violence, xenophobia and intolerance (Argentina);

120.89 Take clear measures to combat Islamophobia, racism and xenophobia and hatred (Bahrain);

120.90 **Effectively combat all manifestations of Islamophobia and promote tolerance, intercultural dialogue and respect for diversity in the society (Azerbaijan);**

120.91 **Launch specific targeted initiatives and formulate policies to combat intolerance, racism, xenophobia, in particular against Muslims (Saudi Arabia);**

120.92 **Intensify its efforts to eliminate discrimination based on ethnicity, including by improving access to justice for victims of ethnic discrimination (Sweden);**

120.93 **Re-enforce measures to combat racism and discrimination against persons of foreign origin, in particular through the prohibition of ethnic profiling and through awareness raising in the security services as to non-discriminatory measures and methods (Algeria);**

120.94 **Step up efforts to combat racism and ensure elimination of all acts of racial intolerance (Botswana);**

120.95 **Work towards enforcing Human Righst Council resolution 16/18 concerning combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief (Bahrain);**

120.96 **Discourage discrimination against minorities in Denmark, especially Muslims and take effective measures to promote tolerance and counter attitudes which lead to stereotyping and hate crimes against ethnic and religious minorities (Pakistan);**

120.97 **Raise awareness in public regarding the limits and responsibility of freedom of expression, in accordance with international standards urging to take concrete legal and practical measures to combat incitement to religious hatred and intolerance (Pakistan);**

120.98 **Promote and protect the rights of indigenous peoples, peasants and other rural workers (Plurinational State of Bolivia);**

120.99 **Take concrete steps to end ethnic segregation in schools, include diversity and tolerance education in primary school curricula, and submit outstanding reports to the implementation on the UNESCO Convention against Discrimination in Education (Slovenia);**

120.100 **Implement support services and ensure non-discrimination against the lesbian, gay, bisexual, transgender and intersex community (South Africa);**

120.101 **Ensure equal access to public health for lesbian, gay, bisexual and transgender persons, removing existing legislative barriers for access to gender reassignment-related treatments (Uruguay);**

120.102 **Explicitly prohibit organizations promoting racial and religious hatred as well as racial profiling (Egypt);**

120.103 **Monitor and address rampant hate speech on the social media, especially that is directed at Muslims and refugees in public and political debates and manifested in Islamophobia (Pakistan);**

120.104 **Limit the use of prolonged periods of pre-trial detention for non-nationals (Greece);**

120.105 **Continue to combat violence against women and girls and develop a comprehensive action plan for the prevention of sexual violence and for ensuring the legal rights of victims of sexual violence (Finland);**

120.106 **Allocate the human and technical resources necessary to strengthen the fight against gender violence at all levels of government and the justice system (Honduras);**

120.107 **Ensure that programmes and policies to curb domestic violence are fully implemented (Philippines);**

120.108 **Review its approach to domestic violence to better prevent and respond to cases of domestic violence against women and children (United States of America);**

120.109 **Develop and adopt further measures to prevent and combat sexual violence against women (Austria);**

120.110 **Step up efforts to prevent violence against women and domestic violence (Azerbaijan);**

120.111 **Take necessary measures in order to prevent and combat sexual exploitation and abuse of vulnerable people especially in Greenland (Islamic Republic of Iran);**

120.112 **Continue moving in the direction of improving the standards and the quality of care and treatment in foster homes (Georgia);**

120.113 **Accelerate the establishment of a police independent mechanism which ensures that they do not resort to violence against women and girls (Libya);**

120.114 **Ensure that all cases where children have been a victim of domestic violence or witnessed such violence are properly documented and registered and that social recovery and reintegration services of child victims are reinforced (Republic of Moldova);**

120.115 **Continue its successful initiatives to fight the worst forms of child labour, in particular child trafficking for the purposes of labour exploitation and prostitution (Bolivarian Republic of Venezuela);**

120.116 **Take necessary measures to ensure that sufficient up-to-date data on the worst forms of child labour would be made available (Lithuania);**

120.117 **Step up efforts to prevent and address bullying in schools, inter alia, by introducing a range of educational and socio-pedagogical methods, and consider introducing appropriate monitoring of anti-bullying strategies in schools (Slovakia);**

120.118 **That Greenland reform and upgrade municipal competences and accountability in order to apply constructive measures and to promote protection of the child against violence, and to assist families in rehabilitation efforts on substance abuse and addiction (Iceland);**

120.119 **Further ongoing efforts to combat human trafficking (Sri Lanka);**

120.120 **Continue to pay special attention to the victims of human trafficking and harmonize its national legislation with international instruments to which it is a party and recommendations made on this matter by treaty bodies (Nicaragua);**

120.121 Strengthen the implementation of mechanisms for the assistance of victims of trafficking, placing emphasis on child victims of this crime (Colombia);

120.122 Further combat the worst forms of child labour, including trafficking for the purpose of forced labour and prostitution (Lithuania);

120.123 Further ensure the identification and protection of victims of human trafficking (Greece);

120.124 Adopt legislative and policy measures to eradicate re-victimization in cases of trafficking and ensure adequate protection to victims, migrant workers in particular, regardless of their immigration status (Honduras);

120.125 Strengthen protection for victims of human trafficking by providing temporary residency in order to promote cooperation with law enforcement and establish legal alternatives to their deportation to countries where they may face retribution or hardship (United States of America);

120.126 Undertake a comprehensive investigation into the so-called prison flights in which the Central Intelligence Agency of the United States of America landed aircraft at Danish airports with arbitrarily detained persons on board during its special operations (Russian Federation);

120.127 Investigate, prosecute and punish all hate crimes against minorities (Azerbaijan);

120.128 Reform its criminal justice system and ensure the age of criminal responsibility is in line with international standards (Botswana);

120.129 Review the detention in solitary confinement of persons under 18 years of age, to ensure that no child is held in ordinary prisons for adults (Mexico);

120.130 Repeal the provisions that allow persons with disabilities to be subject to medication and psychiatric treatment without their consent (Mexico);

120.131 Introduce alternative measures to pre-trial detention for minors wherever possible, and develop clear rules for the treatment of minors in police custody and monitor their effective implementation in practice (United Kingdom of Great Britain and Northern Ireland);

120.132 Take the measures necessary to prevent the detention of minors in adult prisons (Honduras);

120.133 Limit the use of or abolish solitary confinement of children (Namibia);

120.134 Adopt legislation to limit the use of solitary confinement and abolish solitary confinement of children (Poland);

120.135 Prohibit the use of solitary confinement for children within the criminal justice system (Slovenia);

120.136 Give special considerations to juvenile offenders, such as to prohibit the use of solitary confinement against persons under 18 and separate juvenile offenders from adult offenders (Thailand);

120.137 Provide protection for the family as the natural and fundamental unit of the society (Egypt);

120.138 Ensure, through effective measures and consultations, that contested children in a marital dispute have the possibility of maintaining consistent contact with the foreign parent living abroad (Italy);

120.139 Adopt practical and legal measures to strengthen the foundation of the family and avoid resorting to measures and legislation which endanger the very foundation of the family in society (Islamic Republic of Iran);

120.140 Undertake all necessary efforts to allow for both parents to be able to act responsibly for the upbringing and development of the child (Austria);

120.141 Allow minors to change their legal gender by allowing the person exercising parental authority over the minor to file an application (Netherlands);

120.142 Amend the Marriage Law in the Faroe Islands to allow for same sex marriages (Iceland);

120.143 Refrain from banning or setting age limit on non-therapeutic circumcision of boys (Egypt);

120.144 Enact legislation criminalizing defamation of religious symbols under the pretext of freedom of expression (Libya);

120.145 Eliminate any legislation or measures that discriminate on the basis of religion (United Arab Emirates);

120.146 Intensify its efforts in combatting hate crimes through the effective implementation of the new monitoring system provided for this purpose (Côte d'Ivoire);

120.147 Launch awareness campaigns and financially support NGOs working in the area of crimes related to prejudice and hate (Spain);

120.148 Condemn all hate crimes, discrimination and racial profiling (Malaysia);

120.149 Promote responsible freedom of expression in speeches and publications to curb hate crimes (Malaysia);

120.150 Continue strengthening efforts to combat hate crime (Morocco);

120.151 Continue to strengthen efforts taken by the police to combat hate crime based on ethnicity and ensure effective handling of such cases (Singapore);

120.152 Enact legislation which makes a distinction between the freedom of expression and hate speech and take measures to guarantee the representation of minorities in social and political areas (Saudi Arabia);

120.153 Intensify its efforts to combat hate speech, racist and xenophobic statements (Belarus);

120.154 Take further active steps to create equal opportunities for both men and women in the labour market, and to bridge the gender wage gap (Sweden);

120.155 Continue strengthening social programmes for the most vulnerable sectors of the population, in particular children, women, the elderly and those with disabilities belonging to minorities (Bolivarian Republic of Venezuela);

120.156 Ensure that all persons belonging to disadvantaged groups and marginalized groups have access to basic health care (Uganda);

120.157 **Ensure continuous schooling of children following the decision on placement in alternative care (Slovenia);**

120.158 **Continue its efforts to ensure access to state education for all children, without regard to their legal status (Belarus);**

120.159 **Consider further actions to promote better access to education for children in Greenland and in the Faroe Islands (Estonia);**

120.160 **Pay special attention to accessibility and the physical environment of educational establishments in line with the suggestions of the National Council for Children (Spain);**

120.161 **Take effective measures to address the inequality in the status of court interpretation of minority languages (Djibouti);**

120.162 **Ensure that Inuit children can retain their identity and use their own language (Panama);**

120.163 **Strengthen policies and initiatives to promote tolerance towards and integration of ethnic minorities in all spheres of society (Singapore);**

120.164 **Strengthen the employment and education rate among refugees and migrants (South Africa);**

120.165 **Continue its experimental programme on access to mother tongue education for children belonging to minority groups (State of Palestine);**

120.166 **Recognise the Thule tribe as a distinct indigenous community capable of vindicating its traditional rights (Plurinational State of Bolivia);**

120.167 **Fulfil obligations and commitments under international law to enhance efforts to combat hate crimes, especially those targeting refugees, migrants and based on religious background (China);**

120.168 **Adopt comprehensive immigration legislation consistent with their human rights obligations, to ensure non-discrimination and the effective integration of immigrants (Honduras);**

120.169 **Continue working to improve its treatment of migrants and refugees in a transparent manner, and with full respect for human rights, especially those of women and children (Japan);**

120.170 **Increase the security in the shelters for unaccompanied migrant children; investigate cases of disappearances of children from these centres (Mexico);**

120.171 **Ensure that all relevant international conventions and protocols are respected, and that migrants, particularly children, have access to basic services and are housed in suitable conditions (New Zealand);**

120.172 **Step up efforts to tackle structural discrimination faced by minority groups, non-citizens and refugees, especially with regard to employment, education, housing, health services, and access to justice (Republic of Korea);**

120.173 **Take measures to prevent discrimination against migrants and refugees in access to the labour market, as well as to health care and education (Russian Federation);**

120.174 **Review the legal framework on asylum, migration and immigration and repeal the provisions on denial of stay in the country and expulsion for**

reasons of national security which contravene the international standards to which Denmark is a party (Mexico);

120.175 **Review and improve the practices related to the care of asylum seekers (Costa Rica);**

120.176 **Step up efforts towards the prevention of discrimination against refugees and asylum seekers by repealing recent laws and methods perpetuating those practices (Greece);**

120.177 **Ensure that the best interests of the child are fully considered when deciding on asylum applications (Namibia);**

120.178 **Ensure that changes in the asylum laws and regulations are compliant with international human rights standards (Philippines);**

120.179 **Exempt all asylum-seeking and migrant children from detention and grant them access to education through integration into mainstream public schools (Portugal);**

120.180 **Ensure that asylum seekers and children of refugees receive the same quality of education as other children in Danish schools (Afghanistan);**

120.181 **Ensure further protection to refugees and asylum seekers (Algeria);**

120.182 **Ensure that the treatment of asylum seekers remains in accordance with the international conventions and protocols that Denmark has signed up to (Austria);**

120.183 **Ensure that the best interests of the child are fully considered when deciding on asylum cases (Austria);**

120.184 **Ensure that the best interests of the child are fully considered when deciding on asylum cases and uphold international obligations under the 1951 Convention relating to the Status of Refugees (Iceland);**

120.185 **Take further steps in order to protect the right to family reunifications for refugees, giving emphasis to child rights (Greece);**

120.186 **Grant the right to family reunification to all refugees (Guatemala);**

120.187 **Allow persons originating from countries in conflict and other situations of violence and thus granted temporary subsidiary protection status to initiate family reunification proceedings during their first year in Denmark (Portugal);**

120.188 **Take further measures to facilitate family reunification (Turkey);**

120.189 **Take the necessary legal measures to ensure the right to family reunification of children aged over 15 years (Argentina);**

120.190 **Give importance to guaranteeing that refugees who fall into the category of "war refugees" are given the right to family reunification (Bahrain);**

120.191 **Grant expedited family reunification to refugees who are entitled to asylum due to the general situation in their home country, in particular "war refugees" (Brazil);**

120.192 **Ensure that persons with temporary protection status have the right to immediately initiate family reunification proceedings, and that the age limit for family reunification for children be raised from 15 to 18 (Ireland);**

120.193 **Continue to implement the measures necessary to find solutions for stateless persons (Colombia);**

120.194 **Take further measures to ensure that its national citizenship legislation complies fully with the 1961 Convention on the Reduction of Statelessness (Finland);**

120.195 **Strengthen measures to promote citizenship (South Africa);**

120.196 **Adopt a legal framework to facilitate the granting of residence permits to child victims of trafficking and to grant citizenship to all children born in Denmark that otherwise would be stateless and thus more vulnerable to exploitation (Mexico);**

120.197 **Carry out an inclusive, evidence-based evaluation of the Danish anti-terrorism legislation, as previously recommended (Netherlands);**

120.198 **Continue to honour its commitment to development aid to help developing countries better achieve the right to development (China);**

120.199 **Continue its development assistance to the developing countries for better realization of socio-economic rights as part of a globally inclusive and sustainable development agenda (Nepal).**

121. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

Composition of the delegation

The delegation of Denmark was headed by Mr. Kristian JENSEN, Minister for Foreign Affairs, and composed of the following members:

- Mr. Poul MICHELSEN, Minister of Foreign Affairs and Trade of the Faroe Islands
- Mr. Carsten STAUR, Ambassador, Permanent Mission of Denmark to the UN
- Mr. Tobias Elling REHFELD, Under-Secretary for Legal Services, Ministry of Foreign Affairs
- Ms. Pernille BENGTSEN, Special Advisor, Government of Greenland
- Ms. Mette Nørgaard DISSING-SPANDET, Head of Department, Ministry of Foreign Affairs
- Ms. Hanne FINDSEN, Head of International Affairs, Ministry of Health
- Mr Jakob Dam GLYNSTUP, Head of Division, Danish Immigration Service
- Ms. Anita HØRBY, Head of Division, Ministry of Social Affairs and the Interior
- Ms. Lone ZEUNER, Head of Division, Danish Immigration Service
- Mr. Henrik THOMASSEN, Head of Department, Ministry for Immigration, Integration and Housing
- Ms. Marie-Louise Koch WEGTER, Deputy Permanent Representative, Counsellor, Permanent Mission of Denmark to the UN
- Ms. Tina Gade JENSEN, Special Advisor, Ministry of Social Affairs and the Interior
- Mr. Gunvør BALLE, Special Adviser, Ministry of Foreign Affairs and Trade, the Faroe Islands
- Mr. Lars Peter LEVY, Special Advisor, Ministry of Foreign Affairs
- Ms. Margretha Nónklett, Special Advisor, Ministry of Foreign Affairs and Trade, the Faroe Islands
- Mr. Søren Feldbaek WINTHER, Special Advisor, Ministry for Children, Education and Gender Equality
- Mr. Adam WORM, Senior Advisor, Government of Greenland
- Ms. Louise FALKENBERG, Legal Advisor, Ministry of Justice
- Mr. Ketilbjørn HERTZ, Legal Advisor, Ministry of Justice
- Ms. Caroline Cecilie Østergaard NIELSEN, Legal Advisor, Ministry of Justice
- Ms. Anne HOUGAARD, Private Secretary to the Minister for Foreign Affairs, Ministry of Foreign Affairs
- Ms. Malene MORTENSEN, Head of Section, Ministry for Children, Education and Gender Equality
- Ms. Christine PETHEÖ, Head of Section, Ministry of Foreign Affairs

- Ms. Camilla Brinch RASMUSSEN, Head of Section, Ministry of Justice
- Ms. Stine SVEJBORG, Attaché, Permanent Mission of Denmark to the UN
- Mr. Hasse HECKMANN, Intern, Permanent Mission of Denmark to the UN
- Ms. Eva Krogsgaard NIELSEN, Intern, Permanent Mission of Denmark to the UN
- Ms. Benedicte STORM, Intern, Permanent Mission of Denmark to the UN.

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Universal periodic review

Report of the Working Group on the Universal Periodic Review*

Palau

* The annex is being circulated in the language of submission only.

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-fourth session from 18 to 29 January 2016. The review of Palau was held at the 8th meeting on 21 January 2016. The delegation of Palau was headed by the Minister of Community and Cultural Affairs, J. Baklai Temengil. At its 14th meeting, held on 26 January 2016, the Working Group adopted the report on Palau.

2. On 12 January 2016, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Palau: Congo, France and United Arab Emirates.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Palau:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/24/PLW/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/24/PLW/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/24/PLW/3).

4. A list of questions prepared in advance by Belgium, Germany, Liechtenstein, Mexico, Spain and the United Kingdom of Great Britain and Northern Ireland was transmitted to Palau through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The delegation of Palau welcomed the opportunity to respond to the recommendations made during the first cycle of the review process and to receive recommendations from the second cycle of the review. It valued the universal periodic review process as it had supported awareness-raising and mainstreaming human rights into their policies and programmes over the last four years.

6. As a young nation that gained Independence in 1994 and with a population of less than 20,000 people, Palau crafted its own Constitution, which reflects the values and beliefs of the people and guarantees human rights for all. In Palau culture, the strongest and most powerful relationship is between a brother and a sister. This is exemplified in extended family interactions and customary practices; this relationship historically formed the basis of Palau's social organization, governance and system of justice.

7. Regarding achievements since the last review, the delegation stated that four and a half years ago (May 2011), the delegation of Palau had accepted 83 recommendations in total and had a time frame within which to implement them. The national report for the present review captures the implementation journey over that period. While recognizing from the outset the many challenges and difficulties to implement many of those key

recommendations, Palau was also confronted with the reality that it would not be possible to fully implement some of the recommendations within the given time frame.

8. The Government strengthened its efforts to implement the recommendations and deal with emerging issues, such as the effects of climate change and natural disasters on human rights. The delegation reiterated that some issues were complex and required extensive resources and nationwide consultations, such as the ratification of core treaties, human trafficking, migrants, displacement and loss of land, property and homes due to climate change. As a small island developing State, Palau has limited resources to address these multidimensional issues. It urged the members of the Human Rights Council to take these circumstances into account when proposing further recommendations.

9. Despite the challenges, the Government had worked hard and was proud to report on a number of significant achievements, including the creation of the Reporting Committee on United Nations Human Rights Treaties, new legislation to address gender-based violence, the revision and approval of the new Penal Code, the ratification of the Convention on the Rights of Persons with Disabilities, the establishment of a gender and disability office within the Ministry of Community and Cultural Affairs, the hiring of a Human Rights Officer under the Ministry of Community and Cultural Affairs, the development of policies for persons with disabilities, the completion and submission of the overdue periodic report on the Convention on the Rights of the Child and giant steps in signing the remaining core treaties to which Palau was not a party.

10. On advice from the members of the 9th *Olbiil Era Kelulau* (Palau National Congress), Palau will work towards establishing a national human rights mechanism to handle matters related to human rights.

11. On gender equality and women's rights, the delegation asserted that, while Palau had yet to ratify the Convention on the Elimination of All Forms of Discrimination against Women, many positive steps had been taken. A Bureau of Aging and Gender had been established within the Ministry of Community and Cultural Affairs and further to recommendations from the first review, Palau enacted the Family Protection Act in 2012 to address domestic violence. Palau was also taking steps to implement this new legislation and welcomed the support of international partners in this endeavour.

12. In line with the Pacific Leaders Gender Equality Declaration of 2012, Palau was exploring ways to improve services for victims of gender-based violence, such as safe houses, counselling, immediate health responses and protection orders for victims and children. In line with the Family Protection Act, the Family Protection Committee was established and has been active in promoting awareness of the new law, affording people comfort and safety in reporting sexual assault and domestic violence.

13. Support for women in leadership positions has increased with a number of advocacy programmes and the establishment of the Centre for Women-Empowered Belau.

14. Responding to the recommendations from its first review, the delegation reported that marital rape was now criminalized under the Family Protection Act. The President of Palau, Tommy Remengesau Jr., and the current (9th) *Olbiil Era Kelulau*, Palau's National Congress, showed tremendous support in ensuring the safety and protection of the people of Palau, especially children, through the revision and approval of the new Penal Code, 2014. The new Penal Code includes regulations on the use of force against children and other persons under the care or control of another. The new Penal Code also covers labour trafficking, anti-smuggling and anti-trafficking crimes and offences, as well as child exploitation.

15. Palau began the process of domesticating the Convention on the Rights of the Child through various legislative initiatives, including the adoption of the new Penal Code, which

addresses sexual assault of children and provides for the registration of sex offenders. Higher penalties were introduced to deter human trafficking and sexual exploitation of children. The Family Protection Act, 2012 provides protection for children in violent domestic settings. Pursuant to a recommendation from the first review, the delegation announced that there was pending legislation before Congress to equalize the legal minimum age for marriage to 18 years.

16. Palau's Constitution provides for free and compulsory education for all children living in Palau (art. VI). It further highlights the promotion of the health and social welfare of citizens through free or subsidized health care. The Government has declared 2016 the Year of the Youth, during which, attention will be fully focused on youth development and programmes.

17. At the time of its first review, Palau was a party to only the Convention on the Rights of the Child. It has since implemented recommendations 62.1 to 62.5 of the first review (see A/HRC/18/5) by signing the core human rights treaties, namely, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of Persons with Disabilities, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance in the margins of the 66th session of the General Assembly in 2011. Palau was pleased to announce that it had ratified the Convention on the Rights of Persons with Disabilities in 2013 and is currently in the process of formulating a policy on disability. In addition, the President had issued a Presidential Proclamation declaring 3 December 2015 the International Day of Persons with Disabilities and had called on the people of Palau to observe the day with appropriate programmes, ceremonies and activities.

18. The delegation stated that Palau supported the fundamental principles of the Rome Statute of the International Criminal Court. The Constitution of Palau provides for the prohibition of torture, cruel, inhuman or degrading treatment or punishment, as well as excessive fines. While noting the importance of acceding to the Rome Statute, Palau still needs to consider the technical and resource implications of such accession. However, Palau has sufficient legislative safeguards to address grave human rights violations.

19. The Government recognized the value of each of the core human rights treaties, however, it needed a broader ratification timeline to allow for more rigorous oversight into the realities of ratification and implementation of the core treaties against the backdrop of immediate challenges. Nonetheless, Palau was taking considerable steps, including visiting each treaty with an open mind towards ratification.

20. Palau noted the importance of ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Despite the challenges, much progress has been made with regard to migrant workers, such as the increase in minimum wage and its universal application.

21. The Reporting Committee on United Nations Human Rights Treaties was created on 29 May 2014 by Presidential Executive Order No. 368. That was Palau's first attempt towards national coordination of its human rights reporting obligations. The Committee is comprised of Cabinet ministers supported by a working group from government agencies and relevant stakeholders.

22. Palau announced that the Reporting Committee, with the support of the working group, had just submitted its combined second and third report on the implementation of the Convention on the Rights of the Child.

23. The delegation stated that Palau, a peaceful and stable island nation, faced many challenges, prominent among which was climate change, which affected people's livelihood, access to food, water and property. International cooperation and support is critical to addressing and ensuring the basic human rights of the people. Palau was also seeking the support of the international community for tackling other human rights priorities, including human trafficking, migrant workers, gender-based violence and vulnerable groups. The Government's intention to establish a national human rights institution required specialized resources and Palau would be seeking the assistance from its partners to realize this.

24. Palau has its own wealth of experience and ideas, particularly in the area of preserving the oceans and the marine environment. The President of Palau had successfully secured a protection measure for the oceans through the Marine Sanctuary Act, which is intended to ensure food security for future generations of children. Palau called on the international community to commit to promoting these environments in the Sustainable Development Goals. Like other small island developing States, it depends on those resources and their protection is inextricably linked to its ability to protect and promote human rights. Palau emphasized the importance of development financing aligned with the Sustainable Development Goals, including Goal 5 on gender equality and the goals relating to marginalized groups and human rights. The Human Rights Council has a real opportunity to strengthen its monitoring of the human rights captured in the Sustainable Development Goals through the universal periodic review process. This is the proposal that Palau submits to the Council at this review for further consideration.

25. The delegation stated that Palau continued to face many challenges and limitations in its efforts to fulfil its human rights obligations at the national, regional and international levels. Due to limited capacity, human resources and expertise, Palau continues to seek external technical and funding assistance. As it is committed to fulfilling its human rights obligations, Palau also sought assistance from the members of the Human Rights Council.

26. Palau called on the Council to assume decisive leadership with regard to the issue of climate change and human rights.

27. Palau supported the universal periodic review process as it provided the opportunity to engage constructively on issues that affected its people. Palau placed a lot of value in this process as demonstrated in its national report. The delegation underscored that Palau had taken great strides to better protect, promote and fulfil its human rights obligations. It assured the Council that Palau would continue to work towards the realization of the human rights of its people.

B. Interactive dialogue and responses by the State under review

28. During the interactive dialogue, 46 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

29. Montenegro recognized Palau's efforts to improve its institutional and legislative human rights framework. However, it was concerned about the insufficient capacities for the promotion and protection of human rights. Montenegro welcomed the fact that Palau had signed all the core human rights instruments since the first cycle of the review. However, it is only party to two treaties. Montenegro encouraged Palau to seek technical assistance from OHCHR to strengthen its capacities, implement the core human rights instruments and ratify the conventions to which it was a signatory.

30. Morocco noted with satisfaction the legislative and institutional reforms undertaken by Palau, as well as the ratification of the Convention on the Rights of Persons with Disabilities and the Convention on the Rights of the Child. It appreciated the attention paid to protect children, women and the family, and the measures taken with regard to domestic violence and violence against children. Morocco also welcomed the progress made to implement Millennium Development Goal 3 on the promotion of gender equality and empowerment of women, as well as its national gender policy.

31. Namibia noted that Palau had signed the core human rights instruments, such as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, and asked about the efforts undertaken to ratify those instruments. It commended Palau on the enactment of the Family Protection Act and the revision of the Penal Code to protect children. Namibia encouraged Palau to work in coordination with the international community to enforce international law related to water protection and security, including the impacts of global sea level rise.

32. The Netherlands commended Palau for decriminalizing homosexuality through a revision of the Penal Code in 2014. It noted that work remained to be done to bring Palau's national legislation into conformity with its international human rights obligations.

33. New Zealand highlighted the encouraging developments, such as Palau's accession to the Convention on the Rights of Persons with Disabilities in 2013, however, there were still some areas for further progress. It noted that Palau had signed the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights but has yet to ratify them. New Zealand noted that Palau had legislation prohibiting and punishing violent behaviour, but had no legislation that specifically addressed domestic violence.

34. Pakistan noted with appreciation Palau's efforts to implement the recommendations of the first cycle of the universal periodic review. It commended the establishment of the Ombudsman's Office, the measures taken to strengthen the legal and justice systems, the human rights awareness programmes on gender equality, education, health and disabilities. Pakistan appreciated the ongoing development of national legislation and Palau's accession to the Convention on the Rights of Persons with Disabilities. It also appreciated the fact that the Government encouraged the participation of girls and women in all social and economic spheres of Palau, and their increased participation in leadership roles.

35. Panama welcomed Palau's reiteration of its invitation to Special Representatives and Special Rapporteurs, which could further compliance with the human rights commitments entered into with regard to children, persons with disabilities, violence against women, climate change, trafficking in persons and migrant workers. With regard to the Family Protection Act, Panama was concerned that the protection measures taken by Palau against domestic violence and abuse of children had not yet been clearly established.

36. The Philippines welcomed the signature of eight core international human rights treaties during the period under review and encouraged Palau to remain steadfast in pursuing the work towards their ratification. While appreciating Palau's openness to receive migrant workers, Philippines was concerned about their reported increased vulnerability to involuntary servitude and debt bondage as a result of strict labour regulations. It requested the delegation to inform it of the measures taken to protect and promote the rights of migrant workers.

37. Portugal welcomed the signature of seven core human rights instruments since the last cycle of the review and congratulated Palau for the ratification of the Convention on the Rights of Persons with Disabilities. Portugal regretted that the provisions of the Convention on the Rights of the Child, which Palau had ratified in 1995, have not yet been incorporated into the National Code.

38. The Russian Federation noted the progress made by Palau since its first review. However, it also noted with regret that exhaustive legislative measures had not been adopted to ensure the protection of children's rights.

39. Slovenia commended the ratification of the Convention on the Rights of Persons with Disabilities and noted that Palau had signed the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Elimination of All Forms of Discrimination against Women. It encouraged Palau to proceed to become a party to these instruments.

40. Spain especially valued Palau's commitment to implement its policy on climate change respecting human rights, including key aspects for a dignified life, such as the human right to safe drinking water. Spain appreciated the efforts to provide assistance to migrant workers. Spain recognized the progress made regarding gender equality in the framework of the Millennium Development Goals. It congratulated Palau for decriminalizing consensual homosexual activity.

41. Trinidad and Tobago commended Palau for the progress made since the last review with the signature of various international human rights conventions and the measures taken to address domestic violence and to safeguard children. It highlighted Palau's determination to overcome its challenges despite the vulnerabilities faced by small island developing States. It stated that a similar commitment will serve to bear more fruit in the human rights sphere in the coming years and noted the invitation extended in its national report to the special procedures in areas of, inter alia, children, violence against women and climate change.

42. The United Kingdom of Great Britain and Northern Ireland welcomed Palau's acknowledgment of the growing problem of human trafficking, including forced prostitution and labour, and its efforts to tackle the issue. It called on Palau to focus in particular on safeguarding Palauan children from being forced into prostitution. The United Kingdom expressed concern at the continued reports of abuses committed against foreign nationals working and residing in the country and called on Palau to review its policies on foreign nationals.

43. The United States of America commended Palau for the steps taken to deter acts of domestic violence and to protect survivors, including by passing the Family Protection Act in 2012. It encouraged Palau to establish shelters to help domestic violence survivors to move forward with their lives. The United States also urged Palau to enforce the 2005 anti-trafficking law by prosecuting those responsible for the crime of trafficking, rather than for lesser labour-related violations or prostitution-related offences.

44. The delegation welcomed all the recommendations and noted all the concerns raised by the speakers. About the ratification of the core human rights treaties, the delegation indicated that the country was signatory to the treaties and that the Government was working towards ensuring its obligations and considering the core treaties individually so as to undertake a legislative review and compliance.

45. With the ratification of the Convention on the Rights of Persons with Disabilities, the country had the opportunity to reach out to its partners internationally, but in particular those at the regional level, through the programmes of the Pacific Islands Forum Secretariat and Secretariat of the Pacific Community. The delegation was also pleased with the national disability policy which was now in its final draft and would be presented to the Cabinet and Congress during 2016.

46. Regarding the recommendation by New Zealand to combat domestic violence, Palau indicated it had implemented a Family Protection Act in 2012. It also explained that training had been provided by the Pacific Islands programme on preventing domestic

violence, with the support of New Zealand, and added that the Police Force was leading a campaign to tackle violence against women.

47. The delegation indicated that the Family Protection Act was a very strong piece of legislation, which has helped many women and families so far, and stated that reconciliation under the customary process was not a bar to prosecution, therefore, even if there may be reconciliation between family members, domestic violence was considered a crime and prosecution would continue.

48. The delegation stated that the most important protection provided for under the Family Protection Act was that any person who was threatened or harmed could obtain a protective order from the court 24 hours a day, 7 days a week.

49. The delegation asserted that it needed shelters and safe houses. It explained that this was its biggest challenge and it requested support and technical and financial assistance to build shelters and safe houses not only for victims of family violence but also for children who were living under difficult conditions in homes where there was violence.

50. Palau noted that the Penal Code protected children against child exploitation, which was criminalized. It pointed out that there was existing legislation that criminalized endangering a minor or his or her welfare, even when it was a parent who allowed a third person to endanger or hurt his or her child.

51. In response to questions on the situation of migrant workers formulated by the Philippines and the United States of America, the delegation of Palau stated that they were working on it and that legislation was pending before the National Congress to ensure safe working conditions and fair salaries. The Minimum Wage Act contains a provision that enables workers who are not being paid the minimum wage or who work under unsafe conditions to file a case against their employer with the Attorney General's Office.

52. Uruguay welcomed Palau's membership in the International Labour Organization and its ratification of the Convention on the Rights of Persons with Disabilities. While welcoming the fact that Palau had signed a large number of international human rights instruments, Uruguay noted with concern that none of them had yet been ratified. It also welcomed the progress made in ensuring gender equality, but noted that Palau did not have a law explicitly prohibiting discrimination based on sexual orientation or gender identity.

53. The Bolivarian Republic of Venezuela noted that Palau had signed various international human rights instruments and ratified the Convention on the Rights of Persons with Disabilities, thus strengthening its domestic legislation in this area. It welcomed the steps taken to establish a national human rights institution and the adoption of a gender policy to be mainstreamed in government programmes. It also noted the measures taken to combat discrimination against women. The Bolivarian Republic of Venezuela highlighted the establishment of the National Health Insurance, in 2011, that covers everybody, including those who have not made contributions to the system and those who are no longer employed.

54. Algeria welcomed the efforts to promote the human rights of children and of persons with disabilities, as well as to combat violence against women, trafficking in persons and climate change. It noted with satisfaction the signature of the core human rights instruments. It welcomed the results in the area of education, following the adoption of the Education Master Plan, 2006-2016.

55. Argentina welcomed the efforts made since the last review and congratulated Palau on the decriminalization of consensual same-sex relations in the Penal Code. It considered that Palau still needed to overcome some challenges and noted that particular attention should be given to vulnerable groups, particularly persons with disabilities.

56. Armenia recognized the challenges that Palau faced as a small island State and appreciated the steps taken to promote human rights in the country since its first review review. It welcomed Palau's awareness-raising programmes on certain areas of human rights and hoped that they would be further expanded. Armenia welcomed the ratification of the Convention on the Rights of Persons with Disabilities and encouraged the timely ratification of those international human rights instruments that Palau has already signed.

57. Australia congratulated Palau on strengthening its laws to protect family members against violence with the passing of the Family Protection Act in 2012, which criminalizes domestic violence. It also commended the steps taken to decriminalize homosexuality with the introduction in 2014 of legislation to remove offences relating to consensual same-sex relations. Australia welcomed Palau's signing of several international human rights treaties and commended its ratification of the Convention on the Rights of Persons with Disabilities. It was also pleased to be working with Palau in the Pacific Women Shaping Pacific Development programme.

58. Belgium encouraged Palau's commitment regarding the 2015 declaration of the Pacific States on human rights and the rule of law. While welcoming the ratification of the Convention on the Rights of the Child, Belgium encouraged the ratification of all the core human rights instruments and stressed the need to submit reports to treaty bodies in due time. Belgium noted that Palau did not have a national body to coordinate policies to protect children. It welcomed the measures taken to combat domestic violence and violence against children, while noting that further measures should be taken.

59. Brazil praised the efforts carried out since the first cycle of the universal periodic review to improve the situation of human rights in Palau. It noted with appreciation the amendments to the Penal Code in 2014, which decriminalizes sexual relations between consenting adults of the same sex, a positive step towards the realization of the rights of lesbian, gay, bisexual, transgender and intersex persons in the country. It also congratulated Palau for ratifying the Convention on the Rights of Persons with Disabilities in 2012, followed by consultations, in partnership with the Pacific Disability Forum and the Pacific Islands Forum Secretariat, aimed at drafting a national disability policy.

60. Canada acknowledged the steps taken to develop a national gender policy and encouraged Palau to use the process to promote national dialogue and awareness-raising on the issue of gender equality in decision-making at the highest levels of Government and Congress. It encouraged Palau to develop policies to promote women's participation in national decision-making structures and processes. Canada commended Palau for enacting the Family Protection Act and encouraged it to raise awareness through public education to ensure greater understanding of its provisions.

61. China urged the international community to follow the fundamental principles established in Human Rights Council resolution 5/1 and to carry out constructive dialogue and cooperation. It stated that it was most regretful that, in its national report, Palau had treated the Taiwan Province of China as a country partner and had refused to correct the mistake although China had repeatedly drawn its attention to the issue. Palau's behaviour constituted a violation of General Assembly resolution 2758 and departed from the purposes and principles of the Charter of the United Nations. It considered it a serious violation of China's sovereignty and territorial integrity and against the principle of non-politicization of the universal periodic review process. China was resolutely against this practice and reserved the right to take further measures in this regard.

62. On the statement made by China, the Vice-President of the Human Rights Council reiterated that in the Working Group on the Universal Periodic Review, as a subsidiary body of the Human Rights Council and the General Assembly, United Nations terminology applied.

63. The Congo noted as positive Palau's cooperation with the human rights mechanisms and the adoption of laws to implement the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities and Convention on the Elimination of All Forms of Discrimination against Women. It appreciated the efforts taken to ratify the human rights instruments and to award equal education grants for girls and boys at the superior educational level, which contributed to increasing the number of women in high-level posts in the public and private sectors. It regretted, however, that a national human rights institution had not been yet established and that there was insufficient human rights training for the police and the judiciary.

64. Costa Rica noted that Palau had signed the core human rights instruments and it urged Palau to ratify those instruments. It welcomed the Family Protection Act to prevent domestic violence and acknowledged Palau's efforts to create an independent national human rights institution and to conduct training and awareness-raising in the areas of domestic violence, migrant workers' rights and climate change. It considered it pertinent that Palau should strengthen and promote education and training on human rights, particularly for the police and law enforcement personnel.

65. Cuba highlighted the signature of eight human rights instruments, which demonstrated Palau's commitment to the promotion and protection of human rights. It noted the laws adopted to combat domestic violence, sexual exploitation, trafficking in persons and on the establishment of a registry on sex offenders, the minimum wage and the criminalization of marital rape. Cuba noted the challenges in implementing human rights in Palau given its limited resources and it called on the international community to support Palau's efforts to improve the living conditions of its population.

66. Cyprus commended the measures taken by the Government to fulfil its international human rights obligations and welcomed the ratification of the Convention on the Rights of Persons with Disabilities in 2013.

67. Denmark was pleased to note that, following its first universal periodic review, Palau signed the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment of Punishment, in 2011. It highlighted that, as the implementation of the Convention against Torture Initiative required government-to-government exchange and cooperation, it stood ready to explore new ways of assisting the Government of Palau to advance in this regard if deemed helpful.

68. The delegation was humbled by the support given by the members of the Human Rights Council and the comments regarding the Family Protection Act. The Ministry of Community and Cultural Affairs, together with the Bureau of Aging and Gender, the judiciary, the Ministry of Health, the police department and the Attorney General, had signed a memorandum of understanding on raising awareness about domestic violence and working with schools, parent networks and traditional and non-traditional organizations on this issue.

69. As a small island State, Palau faced many challenges like domestic violence but it has made advances in the protection of women, children and in particular, the family. The Family Protection Act is aimed at providing protection for the whole family. The delegation recognized that the importance of the support provided by Australia, as a country in the Pacific region, particularly with regard to a gender policy. The delegation stated that the gender policy was in its final stages and thanked the various regional offices and the Secretariat of the Pacific Community for their support.

70. The delegation welcomed the support from Denmark and Cuba's recognition of its needs and stated that the Government would continue to seek assistance for the process to ratify the core treaties. The Government was working with regard to the national human rights institution and appreciated all the comments and support. The delegation stated that

the Committee that prepared this review included the President, members of the Cabinet and Parliament and that civil society and disability groups had also contributed to the national report.

71. The Constitution of Palau guarantees equal protection for women and men and no discrimination based on sex, race, place of origin, language, religion or belief, a fundamental right under the Constitution

72. The delegation stated that corporal punishment was strictly prohibited and the laws criminalized this act. There had been lawsuits against teachers for using corporal punishment against children.

73. The delegation indicated that Palau continued to work with relevant government agencies and different organizations on the issue of migrant workers. It affirmed that it was a challenging issue, as out of the 20,000 people in Palau, about 6,000 were foreign workers and there were seven labour officers to oversee the foreign workers. Despite the challenges, Palau continued to improve its work through regulations and legislation, such as the recently adopted Minimum Wage Act, which is applicable universally.

74. About women in politics, the delegation asserted that, of the 29 members of the Palau National Congress, three were women. During the last term, there were also three women members, so the number has been maintained. Palau hopes to increase the number of women in the National Congress in the upcoming general elections in November 2016. The delegation stated that, with the assistance of the Ministry of the Community and Cultural Affairs, the Government had conducted programmes to encourage more women to stand for election.

75. Djibouti welcomed the delegation of Palau and congratulated it for presenting the national report. It also welcomed the efforts made towards promoting and protecting human rights.

76. Egypt noted with satisfaction the measures taken to promote human rights in Palau as well as those taken by the relevant ministries in the areas of education, improving gender equality, promoting the rights of persons with disabilities and countering trafficking in human beings. It noted the adoption of laws to protect human rights, in particular the Family Protection Act and encouraged Palau to continue its efforts to counter trafficking in persons. Egypt invited Palau to ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

77. Estonia noted that Palau had ratified the Convention on the Rights of Persons with Disabilities and the Convention on the Rights of the Child and encouraged it to incorporate the provisions of both treaties into its domestic legislation. It also commended Palau for initiating the development of a national gender policy, but expressed its concern about the definition of rape, which was limited to sexual intercourse and spousal rape was still exempt from prosecution. Estonia encouraged Palau to establish protection services for survivors of domestic violence and child abuse.

78. Fiji noted the efforts made by Palau to keep abreast of its human rights obligations. It also noted that Palau had adopted the Family Protection Act, in 2012, which was designed to protect and empower the victims of domestic violence. Fiji congratulated Palau for ratifying the United Nations Convention Against Corruption and for its constructive participation in the peer review process under the Convention, in April 2015.

79. France noted the human rights commitments made by Palau since its first universal periodic review in 2011, in particular the signature of numerous international instruments. France invited Palau to continue its commitment.

80. Georgia highlighted Palau's commitment to fully implement its human rights obligations and recognized the efforts made by the Government in signing and ratifying human rights instruments and undertaking legislative reform. It noted with appreciation that Palau had ratified the Convention on the Rights of Persons with Disabilities and had signed several international human rights conventions. It welcomed the steps taken by the Government to improve the health-care system and the establishment of National Health Insurance.

81. Germany thanked the delegation for the national report it submitted to the Working Group.

82. Ghana lauded Palau's continuous engagement with the universal periodic review mechanism since its first cycle. It noted with appreciation the signing of some core international human rights treaties in 2011, which reflected Palau's commitment to the promotion and protection of the human rights of its people.

83. Indonesia commended the efforts made to strengthen the promotion and protection of human rights through the establishment of the Ombudsman's Office as well as the signing of the core human rights treaties in 2011 and the ratification of the Convention on the Rights of Persons with Disabilities. Indonesia also recognized the efforts taken by the Ministry of State and the Ministry of Community and Cultural Affairs to establish a national human rights institution.

84. Iraq welcomed the delegation of Palau and their role in the preparation of the national report. Iraq expressed its appreciation and congratulated Palau for complying with international human rights instruments.

85. Israel recognized that Palau's report was the result of extensive consultations, including with the recently created Reporting Committee on United Nations Human Rights Conventions and the working group formed to support the Reporting Committee. It congratulated Palau for the progress achieved since its first review and the significant efforts made by the Government to implement many of the recommendations accepted during the first review. It highlighted a number of measures taken, including the establishment of the Office of the Ombudsman, the ratification of the Convention on the Rights of Persons with Disabilities, the enactment of the Family Protection Act and the reform of the Penal Code.

86. Italy noted the steps taken to promote gender equality and further the protection of women rights, in particular the measures aimed at combating domestic violence and protecting women and children from sexual abuse. It commended the Government for supporting community-awareness programmes that are crucial to avoiding discrimination and fostering integration.

87. Japan commended Palau for conducting human rights-awareness programmes in areas such as gender equality. It welcomed the signature of the core human rights treaties in 2011 and the ratification of the Convention on the Rights of Persons with Disabilities in 2013. Japan also expressed concern at the reports of prisoners being held under appalling conditions due to the deterioration of prisons and lack of space therein.

88. Malaysia noted the efforts made by the Government to conducting awareness-raising programmes on HIV/AIDS prevention, improving the rights of persons with disabilities, combating violence against women and environmental protection. It also noted the measures taken by the Government to protect children, in particular the enactment of the Family Protection Act and the revision of the Penal Code.

89. Maldives commended the progress made by Palau, including the enactment of the Family Protection Act, the Non-Communicable Disease Strategic Plan, the revision of the Penal Code and the efforts made to combat human trafficking and foster gender equality.

Maldives welcomed the adoption of policies on climate change and sustainable economic development through renewable energy applications and encouraged the Government to reach out to its partners and seek support for the implementation of the recommendations made during the present review. Maldives thanked Palau for its efforts to raise the voice of small island developing States.

90. Mexico welcomed the ratification of Convention on the Rights of Persons with Disabilities, the development of the national disability policy and the adoption of the Family Protection Act. It urged Palau to adopt a specific law to protect the rights of children. Mexico acknowledged the increase in the participation of women in high-level government posts and urged Palau to continue promoting the involvement of women in public life. It noted with satisfaction the amendments to the Penal Code to decriminalize consensual sexual relations between same-sex adults. Mexico also welcomed the National Disaster Risk Management Framework.

91. The delegation thanked Estonia and Fiji for their comments regarding spousal rape and stated that marital rape was now a crime in Palau and sexual abuse in the first degree was a felony. It stated that the definition of sexual penetration had been expanded and there was "no-drop policy" in place so that although there might be reconciliation under customary practice, cases were still moved forward and perpetrators were prosecuted.

92. The delegation indicated that there were anti-smuggling and anti-trafficking penal laws in Palau and that they were enforced.

93. The delegation stated that the Open Government Act was adopted in 2014 with a view to making government actions transparent and accountable, allowing people to see government records and to sit in government proceedings and allowing people to participate in government hearings and meetings.

94. Palau thanked Japan for its concerns and stated that the conditions in jails had considerably improved for inmates.

95. The delegation stated that Palau has considered the value of ratifying the core human rights treaties, however, it needed more time and it continued to seek international assistance in this matter.

96. About Ghana's recommendation, the delegation stated that education in Palau was inclusive for all children. Regarding health insurance, it indicated that legislation existed for those who had not been in the programme but were now in the health-care system. The delegation thanked Maldives for their support in recommending that Palau develop a disability policy for the period 2015 to 2020 and welcomed its recommendation.

97. The delegation stated that it continued to learn from best practices and strived to shape and develop its policies, while also trying to keep abreast with international standards. It was no surprise that a small country with limited resources faced challenges in ensuring that human rights were afforded to every single person, however, it was also making some mighty strides and was proud to have shared an open and honest report with the international community.

98. With the financial and technical support from our international partners, Palau would continue to analyse its laws through legislative compliance reviews and make further amendments to its legislation in order to ensure human rights are enjoyed by every person in the country.

99. The delegation stated that the Government would continue to educate the public on human rights and raise awareness in the community so that the "duty bearers" understand their rights and responsibilities towards rights holders.

100. In closing, the delegation congratulated OHCHR for its efforts in overseeing the review process. It considered the review process a catalyst for Palau to look within, assess its situation and open its eyes to the gaps in its system when ensuring the rights of its people. The Government thanked the Secretariat of the Pacific Community and the Pacific Islands Forum Secretariat for their guidance and support.

101. The delegation thanked the Government of Israel and the Government of Sweden in particular for their gracious donation to support its participation in the present session. It expressed its appreciation to the Netherlands for providing funding support to the Secretariat of the Pacific Community so that it, in turn, could provide the necessary support to all Pacific countries, including training support in Palau in 2015 for the mock session in preparation for the present review and for the participation of representatives of the Secretariat of the Pacific Community in the present session.

102. Palau welcomed and was seeking any assistance and support available from development partners and donors to pursue its human rights endeavours, not only with regard to fulfilling its international human rights obligations, but also for aligning itself to these principles.

103. The delegation thanked the Permanent Mission of Fiji in Geneva for its assistance with the preparations for this session, for opening its offices to it and for all the guidance provided with regard to chairing its meeting. It also thanked all the member States present for their input and recommendations which will indeed assist Palau in all of its work on the human rights conventions. Lastly, it thanked the Working Group and OHCHR staff, especially OHCHR Asia-Pacific office for its support, assistance and guidance in preparing for this second review.

II. Conclusions and/or recommendations**

104. **The following recommendations will be examined by Palau, which will provide responses in due time, but no later than the thirty-second session of the Human Rights Council, in June 2016:**

104.1 **Speed efforts to ratify the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Namibia);**

104.2 **Ratify the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (New Zealand);**

104.3 **Ratify the international human rights treaties and their optional protocols, in order to strengthen the implementation and observance of international human rights law, particularly the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Panama);**

104.4 **Ratify, as a matter of priority, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Portugal);**

104.5 **Consider continuing on to the ratification of the core human rights instruments (Trinidad and Tobago);**

** The conclusions and recommendations have not been edited.

104.6 **Start the ratification process of the international instruments already signed (Uruguay);**

104.7 **Ratify the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Canada);**

104.8 **Complete its international commitment by ratifying as a priority the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (France);**

104.9 **Ratify all the instruments that have already been signed, in particular the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention for the Protection of All Persons from Enforced Disappearance (France);**

104.10 **Continue taking steps towards the ratification of the international human rights conventions to which Palau is a signatory, in particular the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Georgia);**

104.11 **Ratify those conventions which Palau has not ratified, as previously recommended (Iraq);**

104.12 **Continue its efforts to accede to or ratify more human rights treaties and their Optional Protocols (Israel);**

104.13 **Continue its efforts to ratify the main human rights treaties without delay, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Japan);**

104.14 **Ratify the International Convention on the Elimination of All Forms of Racial Discrimination (Algeria);**

104.15 **Consider ratifying the International Convention on the Elimination of All Forms of Racial Discrimination (Ghana);**

104.16 **Ratify the International Covenant on Civil and Political Rights and its Second Optional Protocol, aiming at the abolition of the death penalty (Montenegro);**

104.17 **Consider ratifying the International Covenant on Civil and Political Rights (Ghana);**

104.18 **Ratify Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Belgium);**

104.19 **Consider ratifying the International Covenant on Economic, Social and Cultural Rights (Ghana);**

104.20 **Ratify the Convention on the Elimination of All Forms of Discrimination against Women (New Zealand);**

104.21 **Ratify and implement the Convention on the Elimination of All Forms of Discrimination against Women and other international human rights treaties and their Optional Protocols, as previously recommended (Slovenia);**

104.22 **Ratify the Convention on the Elimination of All Forms of Discrimination against Women (Spain);**

104.23 **Ratify the Convention on the Elimination of All Forms of Discrimination against Women at the earliest opportunity (Australia);**

104.24 **Ratify the Convention on the Elimination of All Forms of Discrimination against Women (Costa Rica);**

104.25 **Consider ratifying the Convention on the Elimination of All Forms of Discrimination against Women (Ghana);**

104.26 **Consider ratifying the Convention on the Elimination of All Forms of Discrimination against Women and to ensure women equal inheritance rights (Italy);**

104.27 **Intensify its efforts to ratify the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Denmark);**

104.28 **Consider ratifying the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Ghana);**

104.29 **Incorporate the provisions of the Convention on the Rights of the Child into the domestic legal system (Montenegro);**

104.30 **Incorporate the provisions of the Convention on the Rights on the Child in the national legal order (Panama);**

104.31 **Step up efforts to enact legislation to implement the Convention on the Rights of the Child (Philippines);**

104.32 **Swiftly adopt measures aimed at incorporating the provisions of the Convention on the Rights of the Child into the Palau National Code (Portugal);**

104.33 **Incorporate the provisions of the Convention on the Rights on the Child, which has been ratified by Palau, into its domestic legislation (Russian Federation);**

104.34 **Consider acceding to the three Optional Protocols to the Convention on the Rights of the Child (Uruguay);**

104.35 **Establish a national body to develop and coordinate services to address the rights of children and child protection issues and ensure full implementation of the Convention on the Rights of the Child (Canada);**

104.36 **Incorporate in the national legislation the provisions of the Convention on the Rights of the Child (Djibouti);**

104.37 **Take the necessary constitutional measures to bring the Convention on the Rights of the Child into force (Egypt);**

104.38 **Ratify the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography (Germany);**

104.39 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Algeria);**

104.40 **Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ghana);**

104.41 **Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Indonesia);**

104.42 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);**

104.43 **Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearances (Ghana);**

104.44 **Continue to implement the Convention on the Rights of Persons with Disabilities (Pakistan);**

104.45 **Incorporate the provisions of the Convention on the Rights of Persons with Disabilities into the domestic legal system (Portugal);**

104.46 **Ratify the Hague Convention on the Civil Aspects of International Child Abduction (Belgium);**

104.47 **Consider ratifying the fundamental International Labour Organization conventions (Trinidad and Tobago);**

104.48 **Consider ratifying fundamental International Labour Organization conventions, and adopt policies to avoid discrimination against foreign workers (Brazil);**

104.49 **Accede to the Convention on the Prevention and Punishment of the Crime of Genocide (Armenia);**

104.50 **Consider ratifying the Convention on the Prevention and Punishment of the Crime of Genocide (Ghana);**

104.51 **Accede to the Rome Statute of the International Criminal Court, the Agreement on the Privileges and Immunities of the International Criminal Court and the 1968 Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, and implement them in national law (Netherlands);**

104.52 **Take all necessary measures towards acceding to the Rome Statute of the International Criminal Court (Cyprus);**

104.53 **Accede to the Rome Statute of the International Criminal Court and fully align its national legislation with the Statute and accede to the Agreement on the Privileges and Immunities of the International Criminal Court (Estonia);**

104.54 **Consider ratifying the Rome Statute of the International Criminal Court (Ghana);**

104.55 **Ratify the 1951 Convention relating to the Status of Refugees and its 1967 Protocol (Costa Rica);**

104.56 **Consider ratifying the United Nations Educational, Scientific and Cultural Organization Convention against Discrimination in Education (Ghana);**

104.57 Continue to implement laws for further protection of human rights of the people (Pakistan);

104.58 Redouble efforts through legislative measures and public policies to ensure that its legislation is aligned with international human rights obligations (Panama);

104.59 Implement the recommendations under the United Nations Convention against Corruption peer review process conducted in April 2015 and in particular review its legal framework to criminalize the bribery of foreign officials and officials of international organizations and pass legislation that allows for the forfeiture of unexplained wealth by public officials (Fiji);

104.60 Establish a national human rights institution that fully complies with the Paris Principles (Portugal);

104.61 Continue taking the necessary steps to set up a national human rights institution in line with the Paris Principles (Bolivarian Republic of Venezuela);

104.62 Establish an independent national human rights institution to lead, coordinate, develop capacity and assist with human rights implementation (Canada);

104.63 Set up a national human rights institution in conformity with the Paris Principles (Congo);

104.64 In line with the recommendations from the first universal periodic review accepted by Palau, establish an independent national human rights institution to lead, coordinate, develop capacities and help strengthen implementation of human rights throughout the country, and provide the Ombudsman Office with sufficient financial and human resources to strengthen its independence and capabilities (Costa Rica);

104.65 Set up an independent human rights institution in charge of coordinating the implementation of human rights in the whole country (Djibouti);

104.66 Establish a national human rights institution (Egypt);

104.67 Set up a national human rights institution in accordance with the Paris Principles, as the authorities committed to during the first review (France);

104.68 Continue efforts aiming at the protection of human rights, including through the establishment of a national human rights institution (Georgia);

104.69 Continue its efforts to establish a national human rights institution in line with the Paris Principles and with full participation of the civil society (Indonesia);

104.70 Continue its efforts to establish a national human rights institution, as this was an accepted recommendation from the first review (Iraq);

104.71 Establish a national human rights institution, in accordance with the Paris Principles (Malaysia);

104.72 Establish an independent national human rights institution to coordinate, develop capacities and strengthen respect for human rights in the country, in line with the Paris Principles (Mexico);

104.73 Enact national legislation to protect the rights of the child (Maldives);

104.74 **Continue to engage international and regional partners to seek technical and other assistance towards its full compliance with its human rights treaties obligations (Philippines);**

104.75 **Take active measures in order to ensure the protection of vulnerable groups in the society, such as children, women and the elderly, and to enact legislation on anti-discrimination (Namibia);**

104.76 **Continue deploying efforts for a strategy in favour of gender equality, in particular regarding policies and programmes of the national Government and local authorities (Morocco);**

104.77 **Continue to promote gender equality through its policies and programmes (Australia);**

104.78 **Eliminate all laws and practices that discriminate against women and promote equal treatment of girls and boys (Cyprus);**

104.79 **Take measures to facilitate greater participation and representation of women in public offices (Israel);**

104.80 **Introduce comprehensive anti-discrimination legislation, including discrimination based on sexual orientation or gender identity (Netherlands);**

104.81 **Legislate in order to permit marriage between persons of the same sex (Spain);**

104.82 **Extend existing legislation to protect the rights of the lesbian, gay, bisexual, transgender and intersex community, including the recognition of same sex couples and anti-discrimination employment laws (United Kingdom of Great Britain and Northern Ireland);**

104.83 **Adopt measures to ensure that lesbian, gay, bisexual, transgender and intersex persons are no longer victims of discriminatory provisions (France);**

104.84 **Consider establishing explicit legislation or policies that prohibit discrimination based on sexual orientation or gender identity (Israel);**

104.85 **Take all the necessary measures to eliminate discrimination based on sexual orientation and gender identity (Mexico);**

104.86 **Establish shelters and other support services for victims and implement programmes in order to provide human rights education, in particular to the police, lawyers and judges (Panama);**

104.87 **Establish shelters for domestic violence survivors (United States of America);**

104.88 **Strengthen legislation on the prevention and combat of sexual harassment, trafficking in persons and sexual tourism (Mexico);**

104.89 **Enact legislation to directly address the prevention of and protection against domestic violence (New Zealand);**

104.90 **Take concrete measures to raise public awareness and further develop legislation to combat domestic violence, especially against women and children, including through the adoption of legislation that prohibits all corporal punishment of children in any setting (Brazil);**

104.91 **Align the legal definition of rape and related prosecution procedures with international norms, notably regarding marital rape and the burden of proof (Belgium);**

104.92 **Consider amending its Penal Code and Family Protection Act to ensure that spousal rape is criminalized, and that the definition of rape includes any form of non-consensual penetration of or by a sexual organ and that the definition be gender neutral so that men and boys are also protected by the rape laws (Fiji);**

104.93 **Take all necessary measures to promote the rights of women and to counter domestic violence, in particular by preventing and punishing, more effectively, violence within the family (France);**

104.94 **Carry out further awareness-raising campaigns to combat trafficking in persons, and include this issue in the school programmes, for a greater prevention of the phenomenon (Morocco);**

104.95 **Enact further measures in order to address violence in the educational system, particularly by implementing programmes to prohibit and eliminate all forms of corporal punishment (Slovenia);**

104.96 **Provide further training and legal assistance on the application of the Family Protection Act (Cuba);**

104.97 **Prohibit all corporal punishment in all settings, including in the home (Estonia);**

104.98 **Take all necessary measures to ensure the protection of the rights of the child (France);**

104.99 **Strengthen laws and regulations to prevent and address human trafficking, including providing effective assistance to trafficked victims and prosecuting traffickers (Philippines);**

104.100 **Enforce the 2005 anti-trafficking law and ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (United States of America);**

104.101 **Setup a national strategy to combat trafficking in persons as defined by the existing Penal Code (Egypt);**

104.102 **Strengthen the efforts to prevent and combat trafficking in human beings for sexual purposes, with particular attention to children (France);**

104.103 **Continue efforts to address human trafficking, including the development of stricter legislation and assistance for victims' reintegration and recovery (Malaysia);**

104.104 **Improve its prison environment as part of a wider effort to protect and promote the human rights of prisoners (Japan);**

104.104 **Introduce a law on freedom of information in compliance with international standards (Estonia);**

104.106 **Intensify its fight against all discrimination that hinders trade union freedom of all workers, both national and foreign (Spain);**

104.107 **Enforce regulations to protect foreign workers, particularly regarding work conditions and occupational and safety standards, and prosecute violations (United States of America);**

104.108 **Improve the situation of workers, in particular migrant workers, by providing them with the necessary protection (Congo);**

104.109 **Enact a labour law that applies to nationals and enhance efforts to spread awareness among workers (Egypt);**

104.110 **Continue taking efforts aimed at combating the unemployment phenomenon (Egypt);**

104.111 **Adopt concrete measures to better integrate migrant workers, with special attention to combating human trafficking and discrimination (Germany);**

104.112 **Continue implementing additional measures to fight discrimination against foreign workers, addressing in particular work conditions and the respect for occupational and safety standards (Italy);**

104.113 **Continue efforts to promote the rights and working conditions in employment, including through appropriate legislative and administrative measures (Malaysia);**

104.114 **Continue to strengthen the social protection programmes that are currently being implemented in order to provide the greatest possible welfare and standard of living to its people (Bolivarian Republic of Venezuela);**

104.115 **Expand human rights training and awareness-raising programmes so that they include all aspects of human rights (Armenia);**

104.116 **Continue promoting education for all, in particular for persons with special needs (Djibouti);**

104.117 **Adopt specific measures to promote the development of inclusive education for persons with disabilities (Argentina);**

104.118 **Consider endorsing and implementing the national disability policy as a tool to ensure better rights for persons with disabilities (Malaysia);**

104.119 **Implement the national disability inclusive policy (Maldives);**

104.120 **Increase efforts to guarantee access to education for children with disabilities (Mexico);**

104.121 **Step up efforts to improve the situation of socially vulnerable groups of the population, in particular migrant workers, including their protection from discrimination (Russian Federation);**

104.122 **Become party to the 1954 and 1961 statelessness conventions and take all steps necessary to implement their content (United Kingdom of Great Britain and Northern Ireland);**

104.123 **Strengthen efforts deployed to prevent natural disasters (Morocco);**

104.124 **Continue to implement policies for development of its people under the Sustainable Development Goals (Pakistan);**

104.125 **Continue to pay particular attention to the consequences of climate change on the human rights of the population (Cuba).**

105. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

Composition of the delegation

The delegation of Palau was headed by Honorable J. Baklai Temengil, Minister, Ministry of Community and Cultural Affairs and composed of the following members:

- Honorable J. Uduch Sengebau Senior, Senator, Palau National Congress (9th *Olbiil Era Kelulau*);
- Ms. Hila Asanuna, Senior Foreign Service Officer, Bureau of Foreign Affairs and Trade, Ministry of State;
- Ms. Holly Yamada, Small Island States Officer, Ministry of State/Pacific Islands Forum Secretariat;
- Mr. Kyonori Tellames, Senior Planning Analyst, Bureau of Budget and Planning, Ministry of Finance;
- Mr. Romulo Nayacalevu, Human Rights Adviser, Regional Rights Resource Team, Secretariat of the Pacific Community.

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Universal periodic review

Report of the Working Group on the Universal Periodic Review*

Somalia

* The annex is being circulated in the language of submission only.

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-fourth session from 18 to 29 January 2016. The review of Somalia was held at the 9th meeting, on 22 January 2016. The delegation of Somalia was headed by the Minister of Women, Human Rights and Social Development, Zahra Ali Samantar. At its 14th meeting, held on 26 January 2016, the Working Group adopted the report on Somalia.

2. On 12 January 2016, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Somalia: Nigeria, Slovenia and Viet Nam.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Somalia:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/24/SOM/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/24/SOM/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/24/SOM/3).

4. A list of questions prepared in advance by Belgium, the Czech Republic, Germany, Liechtenstein, Mexico, the Netherlands, Norway, Slovenia, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America was transmitted to Somalia through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The Minister of Women, Human Rights and Social Development stated that the delegation of Somalia was devastated by the shocking news of a brutal attack that had taken place the night before at a seaside restaurant in Mogadishu. Terrorists had killed at least 20 people, among them 4 children. She expressed the deepest condolences of the delegation for those killed and wished the injured a swift recovery.

6. The Minister reaffirmed the commitment of the Federal Government of Somalia to universal human rights. Somalia had made persistent efforts to cultivate a pluralistic society and welcomed engagement with all stakeholders. For the first time in 22 years, Somalia was charting new territory. A prosperous, just and secure Somalia was on the horizon for all to see. Nevertheless, this fragile change required the utmost care and the sustained focus of international partners. The Minister cautioned against Somalia being taken off the international priority list as new hotspots emerged around globe.

7. The Minister indicated that Somalia had received and supported 155 recommendations, and committed itself to doing everything within its ability to implement them. The situation of Somalia had not been completely stable for 25 years. The challenges facing Somalia were, among others, lack of security, extreme poverty, and environmentally induced disasters such as droughts and flooding.

8. The Minister thanked the United Nations Assistance Mission in Somalia, and more specifically its human rights section, for its relentless support for all government institutions dealing with human rights, and particularly for its assistance to the Ministry of Women, Human Rights and Social Development.

9. The Minister indicated that the Government and human rights defenders had endorsed an action plan for the Human Rights Road Map. The action plan laid out the responsibilities for implementing the road map, in terms of the lead ministry, other participating ministries and other partners. The immediate need was for support for technical assistance, and financial resources.

10. There were four priority areas in the action plan. These were the establishment of the independent national human rights commission, building the capacity of the ministry for human rights, protection of vulnerable groups and civilians, and compliance with international humanitarian law. The Minister underscored the importance of investing in the capacity of the ministry and in that of the awaited human rights commission, which would enable these institutions to implement the other priorities more effectively. The Minister also underlined that her ministry was putting special emphasis on the protection of minority groups, taking steps to include them in the ongoing political process of federalizing Somalia.

11. Concerning security, the Minister indicated that the Ministry of Internal Security was leading the process of establishing unified, accountable and rights-based security institutions providing basic safety and security for all Somali citizens.

12. At the same time as preventing underage recruitment and ensuring the release of children associated with armed entities, the Ministry of Defence and the Ministry of Internal Security were leading the process involving the integration of formal and informal security forces. The National Programme for Disengaged Combatants was assisting more than 300 disengaged combatants in the country. It was aimed at achieving sustainable reintegration and reconciliation, and emphasized the specific needs of child combatants, and of female combatants and their dependents.

13. The Minister emphasized that, as stated in the national report, the Government was preparing to provide more training to prosecutors and police investigators on human rights in the administration of justice in the coming three years in order to pay special attention to the human rights of women, children, minorities and persons with disabilities.

14. With regard to women, the Minister stated that Somalia had made significant progress in addressing the issue of gender inequality. The Government had worked tirelessly to combat disparities in fundamental and basic rights, in access to and control of resources, in employment, in governance and in political participation. The provisional Constitution provided significant affirmative action measures to ensure gender equity and equality.

15. The Somali National Gender Policy included priorities for women's economic empowerment and for their participation in political and decision-making processes. Government institutions had revitalized their structure by setting up departments focused on gender affairs; this included the establishment of the Ministry of Women, Human Rights and Social Development to steer women's affairs at the Cabinet level.

16. One of the most significant milestones for women was the common agreement that there should be a fixed quota of parliamentary seats for women; in the case of those seats, the seat would remain vacant if a woman was not elected to it. The Ministry of Women, Human Rights and Social Development was campaigning throughout the regions of Somalia to encourage local representatives to include women and members of minority groups in the formation process of the federal states.

17. Regarding children and young people, the Minister stated that, despite political volatility, insecurity, and limited access to resources, Somalia had made significant advances since the last review. The accession of Somalia to the Convention on the Rights of the Child in 2015 had been a historic milestone.

18. Furthermore, Somalia had continued its efforts to secure the release and reintegration of children recruited by armed forces and groups. Accordingly, the Government had established the Serendi Rehabilitation Centre, whose purpose was to rehabilitate adults and children who had formerly fought in armed groups, before reintegrating them into society. Since the most recent visit of the Special Representative of the Secretary-General for Children and Armed Conflict, the management of the centre had reviewed and significantly changed the centre's procedures and policies, making it more transparent and open to independent monitoring, which had resulted in the transfer of 64 disengaged child fighters to child-appropriate facilities better equipped for their specific needs.

19. The Attorney General stated that the most significant obstacle for human rights protection in Somalia was the fragile security situation created by terrorism. Frequent terrorist attacks on government officials, human rights defenders and civilians had generated a continuous state of fear. To prevent terrorism and to reduce its adverse consequences, the Government had drafted the country's first-ever national counter-terrorism bill. The Cabinet had approved the bill and sent it to Parliament, where it was waiting to be tabled.

20. This bill would better enable the Office of the Attorney General to prosecute effectively groups and individuals suspected of terrorism, as it provided a legal framework for the fight against terrorism. It also gave special powers to the security forces to conduct missions within a legal scope. It would ensure due process for suspects and protection for witnesses. The Government had also reaffirmed its commitment to being cautious with affiliating any organization with terrorism without substantial and solid evidence.

21. The Government had undertaken efforts to make the public aware of the challenges in its role of ensuring both the security of the nation and citizens' rights to expression and assembly. Moreover, the Government was working to establish the necessary legal framework to guarantee to citizens freedom from arbitrary arrest, as provided in the provisional Constitution.

22. Concerning the media, the Attorney General indicated that the Government firmly believed that every person had the right to disagree with, or dissent from, the Government, and to state that disagreement or dissent publicly as guaranteed by the provisional Constitution. However, this could only happen within the limits of orderly discourse in a democratic society. No citizen had the right, even if disguised as freedom of expression, to incite, to defame, or to endanger society and its security.

23. In this regard, the Attorney General gave an example of a journalist who had falsely spread news that Ebola had been diagnosed in Somalia. This news wreaked havoc on the already fragile society and economy, causing flights to be cancelled, shipments to be postponed and important work to be halted. Another example was the radio host who had called on all Somalis to rise up against the Government, violently if necessary. This kind of freedom of expression could never be tolerated, for obvious reasons.

24. The Somali National Media Law provided for the rights of journalists. The media bill had been formulated on the basis of full consultations with all sectors of the Somali media community. The bill had been passed into law in the past two weeks and been signed by the President. With this law, the Government ensured that journalists were treated in accordance with the laws of the nation. The law included the provisions that every suspect would be brought before a competent judge within 48 hours, that no one would be

subjected to torture or inhumane treatment, and that the right to legal representation and a fair trial was guaranteed. All law enforcement and security agencies, including the National Intelligence and Security Agency, adhered to the constitutional laws of the country.

25. It remained a challenge for the Government to prevent the killings of journalists. However, the Office of the General Prosecutor had taken steps to prevent perpetrators from enjoying impunity and freedom. It had conducted investigations into the killings of journalists to bring suspects before courts of law.

26. The Government worked tirelessly to prosecute all crimes of assassination. One of the groups most targeted by armed terrorist groups was government officials. In the past three years, about 24 judges and prosecutors had been the victims of targeted killings.

27. With regard to the justice sector, the Attorney General indicated that securing access to qualified and competent legal aid remained challenging. To improve the credibility and independence of the judicial system, the Government had worked to strengthen access to justice for members of vulnerable groups, including women and internally displaced persons.

28. The Ministry of Justice had been working to improve the capacity of the judiciary. The Office of the Attorney General was continuously working to enable the prosecution of suspects of crimes, such as terrorism and piracy, in accordance with the principles of due process. Concerning piracy, the Government had worked to interrupt criminal activities at sea, strengthening domestic maritime law-enforcement capacity and addressing the root causes of maritime crime on land. A ban on ransom payments for piracy hostages had not been feasible due to the lack of enforcement capacity.

29. The number of qualified police investigators, judges, prosecutors and other staff in the judiciary had been increased. More than 30 judges and prosecutors had completed a two-year judicial training programme. The Office of Attorney General had also recruited 20 more new prosecutors, including six women.

30. The courts had delivered a number of significant judgments, directly invoking both constitutional provisions and national laws. Judgments relating to sexual violence against women and children had also been passed. The Government had been vocal about the passing of these judgments to make citizens aware that impunity would not be accepted in Somalia.

31. The Attorney General stated that elimination of the death penalty was something that required a long process. The Somali provisional Constitution prescribed sharia law as the paramount law. Sharia law provided for the death penalty for a limited number of crimes. Somalia was reviewing penal procedure codes to reduce the number of crimes for which the death penalty was applied, and was looking into alternative penalties, such as life imprisonment, for other crimes that carry the death penalty.

32. Concerning torture, the Attorney General affirmed that the Government did not condone torture or ill-treatment of any person. All law enforcement and security agencies adhered to that principle. The Government was working to raise awareness that there could not be any circumstances in which torture was permissible.

33. There had been no forced evictions of internally displaced persons in Mogadishu or anywhere else in Somalia. In Mogadishu, internally displaced persons were living in camps managed by non-governmental organizations, which were monitored by the Government to ensure full protection and assistance to the people concerned. Court workers had gone to the camps to listen to their complaints and had taken the necessary action to contact the relevant authorities for follow-up. No one had been arbitrarily evicted from their home and the Government did not allow this to happen.

34. The Office of the General Prosecutor had been active in investigating sexual crimes and in ensuring that an example was set whereby no crime, especially of sexual violence, would go unpunished. So far, the General Prosecutor's Office had been successful in bringing 69 such cases before a judge in 2015.

35. Regarding corruption, the Attorney General indicated that his office regularly referred cases to the Office of the General Prosecutor to investigate and to bring them before a judge. However, in order to combat corruption more effectively, a national independent anti-corruption commission and a judiciary high commission needed to be established. Moreover, it was very important to thoroughly build the capacity of the institutions meant to fight corruption, such as the Office of the General Prosecutor, the Auditor General, the Criminal Investigation Department and the courts.

36. The Government had taken important steps to ensure that its military forces and the forces of the African Union Mission in Somalia (AMISOM) complied with international humanitarian law and human rights norms. However, while aware that these troops were committed to adhering to these fundamental principles, incidents deeply concerning to the Government and the people had taken place.

37. The airstrikes of the Kenyan Defence Forces were the latest such incident, some of which had targeted civilian areas and caused heavy casualties. The Government was committed to conducting impartial investigations into this incident and was requesting parliamentary oversight, asking the defence committee of Parliament to also look into the matter.

38. As a result, the Government had increased its engagement and monitoring in regard to the work of AMISOM to ensure full compliance with international humanitarian law and human rights norms. A total of 10,700 Somali National Army soldiers had been trained in United Nations human rights due diligence.

39. The Ministry of Women, Human Rights and Social Development had engaged in dialogue with AMISOM on special measures for the protection of Somali women and girls from sexual exploitation and abuse. The Government and AMISOM had set up a joint task force to work together in cases of alleged human rights violations to come up with appropriate and timely responses to such incidents.

40. Regarding violations of children's rights, the Attorney General highlighted the commitment of Somalia to protecting children by signing the standard operating procedures on reception and handover of children from armed groups. The Government also worked with the United Nations Children's Fund (UNICEF) to implement the "Children, Not Soldiers" global campaign and the two action plans signed in 2012: one on ending the recruitment and use of children and the other on ending the killing and maiming of children.

41. Concluding the presentation by Somalia, the Minister emphasized that the Government had put into place a number of participatory schemes to jump-start a national dialogue. She thanked fellow Member States, OHCHR and other United Nations agencies for assisting Somalia in its efforts to follow the highest standards of respect for human rights. She stressed that Somalia was pleased to take advantage of sincerely offered advice, as proved by its acceptance of all the recommendations during the previous cycle.

B. Interactive dialogue and responses by the State under review

42. During the interactive dialogue, 85 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

43. Brazil appreciated the accession by Somalia to the Convention on the Rights of the Child and to the International Labour Organization (ILO) Worst Forms of Child Labour Convention, 1999 (No. 182).

44. Canada welcomed the commitment to achieving peace and State-building objectives as outlined in the Somali Compact. It encouraged the State-building process to be inclusive and reflect the views of women and girls.

45. Chad noted with satisfaction that Somalia had taken legislative and administrative measures to ensure the enjoyment of economic, social and cultural rights by its population.

46. China noted the instability, poverty, weak institutions, meagre resources, and many other challenges facing Somalia, urging the international community to provide technical cooperation and capacity-building in the area of human rights.

47. The Congo welcomed the implementation of the universal periodic review recommendations of 2011 relating to the establishment of institutions to promote and protect human rights.

48. Costa Rica congratulated Somalia on its new Constitution and its ratification of the Convention on the Rights of the Child. It expressed concern about allegations of the murder of civilians, caused by the Somali security forces and AMISOM forces.

49. Cuba noted the approval of Labour Law No. 11 and No. 13, the ratification of the Convention on the Rights of the Child, and the endorsement of the Human Rights Road Map of 2013 and its action plan.

50. While recognizing the current challenges, Cyprus encouraged Somalia to accelerate efforts towards the full implementation of its international human rights obligations.

51. The Czech Republic welcomed the delegation of Somalia.

52. The Democratic Republic of the Congo praised the efforts in the field of human rights, including the full cooperation with the special procedures and the adoption of a national action plan.

53. Denmark commended the ratification of the Convention on the Rights of the Child but was concerned about serious abuses against civilians by all parties to the conflict.

54. Djibouti acknowledged the terrorist threat facing Somalia. It expressed support for the adoption of the Human Rights Road Map and an action plan to implement the universal periodic review recommendations.

55. Egypt called on the international community to continue to support Somalia in implementing its human rights action plan, combating poverty and achieving full security.

56. Estonia encouraged Somalia to ratify all core international human rights instruments and to issue a standing invitation to the special procedure mandate holders. It commended Somalia for ratifying the Convention on the Rights of the Child.

57. Ethiopia noted that, despite significant obstacles to human rights protection caused by terrorism, Somalia had made achievements on the ground. It also noted the lack of resources and institutional capacity and the poverty that faced Somalia.

58. Finland commended Somalia for ratifying the Convention on the Rights of the Child. It encouraged Somalia to establish an independent national human rights commission and called upon Somalia to halt executions and apply a moratorium.

59. France welcomed the ratification of the Convention on the Rights of the Child in October 2015.

60. Germany commended Somalia for its engagement with international human rights mechanisms and its willingness to improve the human rights situation in the country.

61. Ghana appreciated the ratification of the Convention on the Rights of the Child and the steps taken to ratify the Convention on the Rights of Persons with Disabilities.

62. Greece highlighted progress made in several areas, including the ratification of the Convention on the Rights of the Child and the establishment of the Ministry of Women, Human Rights and Social Development.

63. Guatemala noted positively the adoption of the Human Rights Road Map and its action plan. It also noted the need to prevent gender inequality by complying with policies to prevent violence against women.

64. Indonesia commended the establishment of the Human Rights Road Map and its action plan.

65. Iraq congratulated Somalia for its ability to re-establish security, its efforts to comply with its international obligations, and its accessions to international conventions.

66. Maldives welcomed the ratification of the Convention on the Rights of the Child, but was concerned about the large number of internally displaced persons, especially those who did not have means to meet basic food needs.

67. Japan welcomed the adoption of the post-transition road map on human rights, but was concerned about continuing human rights violations, including the recruitment and use of children as soldiers.

68. Kuwait acknowledged the political, economic and security challenges facing Somalia and indicated its intention to continue to provide the voluntary contribution to help Somalia overcome them.

69. Latvia regretted the slow pace of implementation of national action plans to end sexual violence and to prevent the recruitment of children as soldiers.

70. Lesotho noted with appreciation the establishment of key institutions and the enactment of fundamental human rights laws and policies. It encouraged the development of institutional and legal frameworks.

71. Libya acknowledged the positive developments since the last review, including the adoption of policies and strategies, the ratification of the Convention on the Rights of the Child and the tabling of the first national counter-terrorism bill.

72. Lithuania noted implementation of the national plan on human rights protection and encouraged Somalia to cooperate with the United Nations human rights mechanisms.

73. Luxembourg encouraged Somalia to continue its efforts to stabilize the situation of the country. It expressed concerns about the recruitment of child soldiers and the continuation of impunity in cases of sexual violence.

74. Madagascar praised the progress made in implementing the recommendations accepted during the first universal periodic review.

75. Malaysia noted the enactment of new legislation covering the rights of children, the rights of foreign workers, the establishment of an electoral commission, and issues relating to the media.

76. Italy commended the progress made in implementing the Human Rights Road Map and encouraged Somalia to ensure a free and independent press.

77. Mauritania encouraged the Federal Government of Somalia and the regional administrations to support institutions and mechanisms for the promotion of human rights, in conformity with the Human Rights Road Map.

78. Mexico commended the commitment of Somalia to mainstreaming human rights as part of its peace-and State-building goals through the action plan to implement the Human Rights Road Map.

79. Montenegro enquired about actions taken to protect women and girls who were victims of sexual and psychological violence and about legal provisions prohibiting female genital mutilation.

80. Morocco commended the inclusion of human rights principles in the provisional Constitution and encouraged them to be put into practice at the end of the constitutional reform which had just begun.

81. Namibia acknowledged the efforts undertaken for legislative reforms to protect and promote human rights. It also noted the rapid economic growth between 2012 and 2014.

82. The Netherlands noted that no specific steps had been taken to ratify the Convention on the Elimination of All Forms of Discrimination against Women. It was concerned about the use of military courts to try civilians.

83. Nicaragua noted the efforts to restructure the State and national institutions in order to strengthen the rule of law, and also the actions taken to achieve a participatory and inclusive national dialogue.

84. The Minister of Women, Human Rights and Social Development advised that the Federal Government of Somalia was preparing to sign and ratify the Convention on the Elimination of All Forms of Discrimination against Women and was in the process of consultations with all sectors of society.

85. She also stated that Somalia had established a major, milestone policy to eradicate female genital mutilation. That policy had been approved and endorsed by the Cabinet and was being implemented.

86. Moreover, the Government was discussing and preparing a standing invitation for all relevant special procedure mandate holders to visit Somalia and see at first hand the work that Somalia was undertaking to improve the human rights situation.

87. The Attorney General added that Somalia was committed to engaging in community dialogue on the use of the death penalty as way of punishing severe crimes. This community dialogue was a process that would take a long time, as the issue was highly controversial, and inherent to the religion, culture and beliefs of the Somali people. Somalia was seeking ways to ensure that this punishment was reserved only for the most heinous crimes, and even then, Somalia was looking into ways to modify rulings so that alternative punishments could be used, such as life imprisonment.

88. The Niger encouraged the implementation of the national action plan for human rights, which contained the democratic rights guaranteed by the provisional Constitution.

89. Nigeria commended Somalia on its engagement with relevant stakeholders regarding State formation, mediation and reconciliation within communities.

90. Norway noted the efforts of Somalia with respect to eradicating female genital mutilation, countering terrorism and ensuring that national security was pursued in compliance with the country's human rights obligations.

91. Oman acknowledged the priority that Somalia placed on the right to education at all levels to remedy the weaknesses in the education system.

92. Pakistan welcomed the ratification of the Convention on the Rights of the Child and appreciated the continued constructive engagement of Somalia with OHCHR.

93. The Philippines welcomed the ratification by Somalia of the Convention on the Rights of the Child and of three fundamental ILO conventions, but noted concern over reported incidents of piracy and human smuggling.

94. Portugal noted with satisfaction the ratification of the Convention on the Rights of the Child but remained concerned about the situation of journalists and human rights defenders.

95. Qatar appreciated the efforts of Somalia at the constitutional, legislative and institutional levels to protect and promote human rights. It also commended the interest of Somalia in setting up a national human rights institution.

96. The Republic of Korea welcomed the efforts to develop the national action plan to end sexual violence in conflict, and the ratification of the Convention on the Rights of the Child.

97. Saudi Arabia commended the adoption of the Human Rights Road Map, the ratification of the Convention on the Rights of the Child, all efforts in combating terrorism, and the approval of the national counter-terrorism bill.

98. Senegal noted the implementation of the fight against sexual violence and against the enlistment of child soldiers. It highlighted the human rights provisions included in the provisional Constitution.

99. Sierra Leone commended the adoption of the provisional Constitution, the action plan for the Human Rights Road Map, and the ratification of the Convention on the Rights of the Child. It encouraged Somalia to provide legal clarification on the age of the child in its national legislation.

100. Slovakia stated that the recruitment and use of children by militias should be addressed as a matter of priority. It was concerned about recent executions and invited Somalia to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

101. Slovenia noted with regret that the use of the death penalty persisted and urged Somalia to continue the constitutional review process without further delay.

102. South Africa encouraged Somalia to continue its efforts for the protection and promotion of human rights, including the right to development.

103. South Sudan appreciated the priority given by Somalia to the right to education. It called upon the international community to provide Somalia with technical assistance and capacity-building in the field of education.

104. Spain encouraged Somali institutions to overcome differences and focus in a unified fashion to work together for constitutional reform. It commended the ratification of the Convention on the Rights of the Child and the Convention on Cluster Munitions.

105. The State of Palestine welcomed the ratification of the Convention on the Rights of the Child and encouraged Somalia to also ratify the Optional Protocol on the involvement of children in armed conflict and the Convention on the Elimination of All Forms of Discrimination against Women. It acknowledged the emphasis that Somalia had put on the right to education.

106. Sweden welcomed steps taken towards improving the national framework for prevention and redress for sexual and gender-based violence. It noted a problem with the implementation of a national action plan on sexual violence in conflict.

107. Switzerland condemned the recent executions and also raised concerns about the human rights violations against internally displaced persons and human rights defenders.

108. Thailand commended the adoption of the provisional Constitution and the Human Rights Road Map and the establishment of the national human rights commission.

109. Togo welcomed the efforts of Somalia to protect human rights despite the security issues that the country faced. It urged the international community to provide further support to Somalia.

110. Turkey encouraged the achievement of Vision 2016, the finalization of the federalism process and the adoption of fundamental legislation.

111. Uganda urged Somalia to expedite the constitutional review process to strengthen institutions that play a key role in promoting and protecting human rights.

112. Ukraine welcomed the recent accession of Somalia to the Convention on the Rights of the Child.

113. The United Arab Emirates emphasized the need for the international community to provide urgent assistance to Somalia in undertaking major reforms.

114. The United Kingdom of Great Britain and Northern Ireland was concerned about the human rights situation in Somalia, particularly the targeting of journalists with complete impunity.

115. The United States of America welcomed commitments to hold an electoral process in 2016 and noted that Somalis continued to suffer from conflict-related abuses, including sexual and gender-based violence.

116. Uruguay noted that the provisional Constitution provided affirmative action to promote gender equality and equity and welcomed the National Gender Policy.

117. The Bolivarian Republic of Venezuela welcomed the Human Rights Road Map 2013, its action plan, and the high priority attached to the right to education.

118. Yemen stated that, despite the difficulties caused by the war and conflict, Somalia had been able to combat trafficking and terrorism and protect the rights of women.

119. Afghanistan welcomed the adoption of the Human Rights Road Map and its action plan, which were aimed at respecting, promoting and fulfilling the human and democratic rights of Somali citizens.

120. Algeria commended the provisional Constitution, which enshrined human rights principles and efforts to promote the rights of vulnerable groups, particularly those of women and children.

121. Angola encouraged the revising of the Constitution to be an inclusive process in the context of the national dialogue to establish strong and democratic institutions to harmonize sectorial laws with international standards.

122. Argentina expressed concern about the human rights situation in Somalia because of attacks by armed groups, as reflected in Human Rights Council resolution 30/20. It recognized the huge efforts made by Somalia for the rights of internally displaced persons and refugees.

123. Armenia noted the challenges faced in the promotion of the rights of the child, including the right to education, as well as in the promotion of the right to health, which included limited access to health-care services and the need to renew the infrastructure.

124. Australia welcomed steps to introduce institutions supporting fundamental rights, including the national human rights institution, but was concerned about the recruitment of child soldiers.

125. Austria was concerned at restrictions on press freedom and violence against women, including female genital mutilation. It noted that the implementation of an action plan to address sexual violence was slow.

126. Azerbaijan noted the ratification of the Convention on the Rights of the Child and three ILO conventions. It also welcomed cooperation with the special procedures.

127. Bahrain commended the implementation of the recommendations from the first cycle, including those from Bahrain. It also appreciated Somalia's dealings with internally displaced persons and their return.

128. Bangladesh welcomed the ratification of the Convention on the Rights of the Child. It highlighted the need of Somalia to continue to receive due attention and assistance from the international community in its efforts to ensure basic human rights for its citizens.

129. Belgium noted the draft legislation banning female genital mutilation. It raised concerns at the lack of protection for internally displaced persons and at the intimidation, attacks and murders reportedly carried out on journalists.

130. Botswana noted the 2012 provisional Constitution and the adoption of many laws. It also noted several challenges that Somalia had been facing in implementing its policies and strengthening institutions.

131. Burundi noted the ratification of the Convention on the Rights of the Child and encouraged Somalia to continue its efforts to counter terrorism.

132. The Minister of Women, Human Rights and Social Development thanked delegations for their engagement and interest in the human rights situation in Somalia. Somalia had many challenges and needed the support of its international partners in order to ensure that it could implement major objectives as specified in the Human Rights Road Map.

133. Somalia had achieved a lot and had a long way to go. Somalia was simultaneously rebuilding an entire State, fighting crippling terrorism and working hard to promote and protect human rights. On top of all this, 2016 was promising to be a historic year, as Somalia prepared for the election of the second post-transition Parliament and President.

134. The Minister assured the Working Group that Somalia would take all recommendations into consideration and deliberate on them. Somalia was more than willing to take action to realize human rights, but lacked capacity. She urged all those advising Somalia on this issue to work with Somalia and to assist its Government to implement its human rights programmes.

II. Conclusions and/or recommendations**

135. **The recommendations formulated during the interactive dialogue/listed below have been examined by Somalia and enjoy the support of Somalia:**

135.1 **Sign and ratify the Convention on the Elimination of All Forms of Discrimination against Women (Austria) (Italy) (Slovakia) (Spain) (Turkey);**

** The conclusions and recommendations have not been edited.

135.2 **Accede to the Convention on the Elimination of All Forms of Discrimination against Women (Costa Rica)/Ratify the Convention on the Elimination of All Forms of Discrimination against Women (Guatemala) (Malaysia) (Montenegro) (Portugal) (Sierra Leone) (Sweden);**

135.3 **Consider acceding to the Convention on the Elimination of All Forms of Discrimination against Women (Egypt)/Consider ratifying the Convention on the Elimination of All Forms of Discrimination against Women (Indonesia);**

135.4 **Step up its efforts towards ratifying the Convention on the Elimination of All Forms of Discrimination against Women (Philippines);**

135.5 **Accede to the Convention on the Elimination of All Forms of Discrimination against Women and actively fight against violence against women (France);**

135.6 **Fast-track the process to sign and ratify international treaties related to the Convention on the Elimination of All Forms of Discrimination against Women (Uganda);**

135.7 **Fast-track the process to sign and ratify international treaties related to the African Charter on Human and Peoples' Rights among others (Uganda);**

135.8 **Consider ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Namibia);**

135.9 **Ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa and enact and enforce laws and regulations that prohibit all forms of violence against women (Sweden);**

135.10 **Deposit ratification instruments of the Kampala Convention on the Protection and Assistance of IDPs with the African Union and initiate a profiling exercise of the IDPs in Mogadishu to assess protection needs and define "durable solutions" (Germany);**

135.11 **Continue to strengthen its legislative framework to promote and protect human rights (Congo);**

135.12 **Enact legislation on human rights, including Citizenship Act, Persons with Disabilities Act, and the National Human Rights Commission Act (Egypt);**

135.13 **Work on enacting important and relevant human rights laws, particularly, Disability Act, National Commission for Human Rights Act, and Sexual Offences Act (Iraq);**

135.14 **Continue efforts to ensure respect and protection of the rights and fundamental freedoms of the entire population, especially of vulnerable groups, and to ensure compliance with international humanitarian law (Argentina);**

135.15 **Strengthen the dialogue with the African Union and the United Nations with a view to adopting strategies for the protection of human rights (Costa Rica);**

135.16 **Establish a national human rights institution (Morocco);**

135.17 **Continue efforts to strengthen human rights institutions, including the judiciary and the Ministry of Women and Human Rights in order to ensure effective protection and promotion of human rights (Botswana);**

135.18 **Implement the Action Plan of the National Human Rights Roadmap (Cuba);**

135.19 Continue to implement National Human Rights Road Framework (Pakistan);

135.20 Continue its efforts to speed up the implementation of the National Human Rights Roadmap and the related Action Plan (Qatar);

135.21 Take concrete measures to ensure the implementation of the action plan for the human rights roadmap and to ensure all its citizens have access to an independent and competent legal aid system (Afghanistan);

135.22 Step up efforts to implement the Action Plan for the Human Rights Roadmap for Somalia, as well as to reduce and prevent violence against women (Brazil);

135.23 Mobilize national and international stakeholders for the continued implementation of its National Human Rights Roadmap (Ethiopia);

135.24 Take necessary steps to implement the National Human Rights Roadmap and its Action Plan and call on the international partners to support Somalia in their implementation (Azerbaijan);

135.25 Intensify coordination efforts with various United Nations bodies and mechanisms for the further implementation of the national road map for human rights set out in paragraphs 48 and 49 of the report (United Arab Emirates);

135.26 Enhance its work on human rights education and training to its people (Philippines);

135.27 Continue with awareness-raising and trainings for workers in the legal sector and those working in the area of human rights (Egypt);

135.28 Continue to protect the rights of workers and women, emphasize justice for minorities, and strengthen public health (Iraq);

135.29 Develop a birth registration system (Turkey);

135.30 Submit overdue reports to the relevant UN treaty bodies (Sierra Leone);

135.31 Utilize international financial and technical assistance to discharge its human rights reporting obligations (Ethiopia);

135.32 Extend a standing invitation to special procedures (Turkey);

135.33 Extend a standing invitation to all special procedures of the Human Rights Council (Latvia);

135.34 Extend a standing invitation to all mandate holders of Special Procedures (Madagascar);

135.35 Issue a standing invitation to the special procedures mandate holders (Lithuania);

135.36 Consider the issuance of a standing invitation to special procedures mandate holders (Azerbaijan);

135.37 Consider extending an invitation on the UN Special Rapporteur on Human Rights Defenders (Portugal);

135.38 Take all appropriate action in order to combat all forms of discrimination and violence against women and girls (Cyprus);

135.39 **Adopt necessary measures to prevent violations of human rights and international humanitarian law within the framework of military operations (Costa Rica);**

135.40 **Issue clear public orders to the Somali National Forces not to commit unlawful attacks against civilians (Denmark);**

135.41 **Adopt clear measures to ensure that humanitarian aid is not disrupted in a systematic way (Bahrain);**

135.42 **Implement a zero-tolerance policy on gender-based violence (Turkey);**

135.43 **Intensify the implementation of the action plan addressing the alarming levels of sexual violence against women (Greece);**

135.44 **Ensure effective implementation of the National Action Plan to End Sexual Violence in Conflict, including through frequent meetings of the Steering Committee (United Kingdom of Great Britain and Northern Ireland);**

135.45 **Take concrete measures to end violence against women by implementing the National Action Plan to end sexual violence and by investigating and prosecuting alleged violations, including when perpetrated by military and security personnel, in accordance with international law (Finland);**

135.46 **Strengthen the dialogue with AMISOM with a view to adopting special measures to protect Somali women and girls against sexual exploitation and abuse (Mexico);**

135.47 **Continue its efforts in the provision of social care for children at risk and poor families (Yemen);**

135.48 **Consider taking targeted measures to combat violence against children; to conduct awareness campaigns on children's right to freedom from violence and to offer protection to children who are victims of violence (Namibia);**

135.49 **Double the efforts to protect children from being victimized by forced and unlawful employment, recruitment of child soldiers by militant groups, trafficking, or sexual exploitation (Malaysia);**

135.50 **Take measures to put an end to the presence of child soldiers within the armed forces and armed groups (Democratic Republic of the Congo);**

135.51 **Establish effective vetting procedures to ensure that the Somali national armed forces and police do not include persons under the age of 18 (Belgium);**

135.52 **Implement the national action plan against the recruitment of children into armed forces (Australia);**

135.53 **Ensure that the Action Plan on ending the recruitment and use of children signed in 2012 is fully implemented (Slovakia);**

135.54 **Implement fully the 2012 Action Plans to eradicate the recruitment and use of child soldiers and achieve the goal of "Children Not Soldiers" in this year (Uruguay);**

135.55 **Prevent and thoroughly halt the use and recruitment of child soldiers and ensure reintegration and access to education for former child soldiers (Japan);**

135.56 **Step up its efforts to strengthen the mechanisms to demobilize child soldiers and ensure their social reintegration, notably through family reunification and vocational training (Angola);**

135.57 **Strengthen efforts at maintaining an efficient, impartial and independent judiciary as a critical pillar in the administration of justice (South Africa);**

135.58 **Continue to take actions to improve the capacity of the judiciary, including by sensitizing officials working in the judicial branch on issues concerning vulnerable groups such as women, children and persons with disabilities (Malaysia);**

135.59 **Improve access to justice for victims of sexual violence, particularly in rural areas (Luxembourg);**

135.60 **Investigate thoroughly and prosecute all reported cases of sexual violence, and ensure that support and compensation is provided to the victims (Sierra Leone);**

135.61 **Adopt measures to eliminate all forms of violence against women including by ensuring that the perpetrators are prosecuted and punished and that the required protection and assistance is provided for the victims (Slovenia);**

135.62 **Prohibit all forms of violence against women by passing and enforcing legislation providing for prevention, the adequate punishment of perpetrators, protection and support for victims, including legal remedies and paying special attention to the protection of minority women (Austria);**

135.63 **Strengthen accountability mechanisms for security forces, including by ensuring these mechanisms protect the rights of victims (United States of America);**

135.64 **Ensure that the perpetrators of all terrorist attacks are brought to justice (Cyprus);**

135.65 **Strengthen efforts towards the protection of women and children's rights, and ensure thorough investigations of alleged violence against women, including sexual violence (Botswana);**

135.66 **Adopt measures, including appropriate legislation, to prevent, penalize and eliminate all forms of violence against women, end impunity for sexual violence and ensure access to justice (Lithuania);**

135.67 **Carry out judicial investigations into the crimes against journalists (Belgium);**

135.68 **Take measures to ensure that journalists exercise their profession freely and fight against impunity of the perpetrators of violence against them (France);**

135.69 **Address effectively the issue of murders and harassment of journalists, media workers and professionals, by eliminating the prevalence of impunity and establishing effective prosecution acts (Greece);**

135.70 **Ensure that security forces do not arbitrarily harass and arrest journalists or otherwise prevent the exercise of freedom of expression (United States of America);**

135.71 **Promote equal participation of all citizens in political and public affairs and adopt legislation regulating the establishment and functioning of political parties (Czech Republic);**

135.72 **Promote the participation of women in public affairs, including raising the rate of their representation in elected councils (Algeria);**

135.73 **Strengthen its efforts to increase women's participation in elected and appointed bodies at all levels of government (Norway);**

135.74 **Further promote the country's economic recovery, through reducing poverty and considerably improving infrastructure in service delivery (Greece);**

135.75 **Step up collaboration with regional and international actors to improve food security by working towards achieving sustainable production and distribution of food (Malaysia);**

135.76 **Continue and strengthen measures to fight against malnutrition, both chronic and acute (Cuba);**

135.77 **Take immediate measures to ensure under-nourished children are provided with nutrition supplements and access to clean water (Maldives);**

135.78 **Establish and continue to improve the healthcare system to protect people's right to health (China);**

135.79 **Find the necessary means to improve the health sector, providing access to all citizens (Djibouti);**

135.80 **Take measures to promote and protect the right to health, including through ensuring access to health care services (Armenia);**

135.81 **Take concrete measures to reduce child and maternal mortality rates (Maldives);**

135.82 **Intensify its efforts in addressing the issues of education, poverty and health (Nigeria);**

135.83 **Provide necessary resources for promotion of human rights, especially for the right to education and the right to health (Algeria);**

135.84 **Continue to promote access to education (Pakistan);**

135.85 **Enhance its efforts to encourage people to enrol their children in schools as well as to improve access to education (Indonesia);**

135.86 **Continue to strengthen educational policies in order to ensure the necessary conditions for full access to education (Bolivarian Republic of Venezuela);**

135.87 **Continue to prioritize the realization of right to education as a key national policy to increase child enrolment rate and improve the quality of education (China);**

135.88 **Make the education of children a State priority and provide all children with the educational opportunities to rebuild schools and protect them (Lithuania);**

135.89 Continue enhancing the right to education and provide training services and professional development to the teachers (South Sudan);

135.90 Develop measures to promote education for all, particularly for vulnerable groups, including women, children and persons with disabilities (Republic of Korea);

135.91 Increase its efforts to provide education for all, particularly for women and children, and address inequality in education (State of Palestine);

135.92 Support all stakeholders, including Community Education Committees, religious groups, NGOs in their effort to provide education services to all, with a particular emphasis on access of girls to basic education (Thailand);

135.93 Continue to promote efforts aimed at developing methodological and innovative approaches balancing the short-term needs and the long-term vision in order to establish a sustainable education system (Oman);

135.94 Invest in the education sector, particularly in rural areas (Djibouti);

135.95 Take measures to ensure equal access to education, especially for those living in rural areas (Maldives);

135.96 Adopt a national policy to end discrimination against persons with disabilities and support their social integration, including of persons with mental health problems (Italy);

135.97 Adopt measures aimed at protecting persons belonging to minority groups, including internally displaced persons belonging to minorities (Portugal);

135.98 Do its best in addressing the issue of internally displaced persons (Nigeria);

135.99 Expedite the finalization of the policy addressing the situation of refugees and IDPs (Bahrain);

135.100 Respect and protect the human rights of internally displaced persons (Switzerland);

135.101 Protect the rights of internally displaced persons and fight discrimination against them (France);

135.102 Intensify efforts aimed at creating relocation sites and providing basic protection to internally displaced persons (Ukraine);

135.103 Take measures to ensure access to basic services by internally displaced persons and refugees (Argentina);

135.104 Call on the international community to assist its economy and provide support to it (Kuwait);

135.105 Fight against terrorism with all possible means (Kuwait);

135.106 Continue its efforts to adopt the national law to combat terrorism (Libya);

135.107 Speed up the adoption of the national anti-terrorism law and start implementation in order to prevent harmful effects on the system of human rights in Somalia (United Arab Emirates).

136. The following recommendations will be examined by Somalia, which will provide responses in due time, but no later than the thirty-second session of the Human Rights Council, in June 2016:

136.1 Sign, accede to and/or ratify the main international instruments already agreed in the previous cycle of the universal periodic review (Uruguay);

136.2 Continue its accession to the core international human rights instruments (Azerbaijan);

136.3 Ratify and implement the core human rights instruments, in particular the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and abolish the death penalty, as previously recommended (Slovenia);

136.4 Sign and ratify the international conventions and covenants in the field of human rights and allow women to contribute to the labour market, education, and political participation (Iraq);

136.5 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Montenegro);

136.6 Consider ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights with the view to abolish the death penalty and to introduce a moratorium on executions, as undertaken during the previous review (Namibia);

136.7 Carry out the necessary step for the ratification of the Convention on the Elimination of All Forms of Discrimination against Women and other human rights treaties (Japan);

136.8 Ratify the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and its three Optional Protocols (Madagascar);

136.9 Consider acceding to the Convention against Torture (Egypt);

136.10 Step up its efforts towards ratifying the Convention against Torture (Philippines);

136.11 Fast-track the process to sign and ratify international treaties related to the Convention against Torture (Uganda);

136.12 Sign and ratify the Convention on the Rights of Persons with Disabilities (Italy);

136.13 Ratify the Convention on the Rights of Persons with Disabilities (Guatemala) (Malaysia) (Niger) (Portugal);

136.14 Consider acceding to the Convention on the Rights of Persons with Disabilities (Egypt);

136.15 Step up its efforts towards ratifying the Convention on the Rights of Persons with Disabilities (Philippines);

136.16 Fast-track the process to sign and ratify international treaties related to the Convention on the Rights of Persons with Disabilities (Uganda);

136.17 **Ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Portugal);**

136.18 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ghana) (Niger) (Sierra Leone);**

136.19 **Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Indonesia);**

136.20 **Step up its efforts towards ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Philippines);**

136.21 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Ghana) (Sierra Leone);**

136.22 **Sign the Optional Protocols to the Convention on the Rights of the Child (Ukraine);**

136.23 **Ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Spain);**

136.24 **Accede to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (France)/Ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (Japan) (Spain);**

136.25 **Ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and prohibit explicitly corporal punishment of children in all settings, including the home (Estonia);**

136.26 **Ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, signed in 2005, without reservation, and incorporate it into domestic law (Luxembourg);**

136.27 **Ratify the Optional Protocols to the Convention on the Rights of the Child and strengthen the legal framework in line with the provisions of the Convention on the Rights of the Child. Strengthen efforts to end and prevent the recruitment and use of children (Italy);**

136.28 **Lift reservations to the articles 14, 20 and 21 of United Nations Convention on the Rights of the Child as these are incompatible with the object and purpose of the Convention (Germany);**

136.29 **Ratify the Convention on the Prevention and Punishment of the Crime of Genocide (Armenia) (Estonia) (Ghana);**

136.30 **Sign and ratify the Rome Statute of the ICC (Lithuania);**

136.31 **Accede to the Rome Statute of the ICC (Costa Rica) (France) (Luxembourg)/Ratify the Rome Statute of the ICC (Estonia) (Ghana) (Slovakia) (Slovenia) (Switzerland);**

136.32 **Consider acceding to the Rome Statute of ICC (Portugal);**

136.33 **Take all necessary measures towards acceding to the Rome Statute of the International Criminal Court (Cyprus);**

136.34 **Accede to the Rome Statute of the International Criminal Court and ensure its incorporation into domestic law, as accepted in the previous universal periodic review (Uruguay);**

136.35 **Ratify the Rome Statute of the ICC to ensure accountability for, prevention of and justice for the victims of human rights violations (Latvia);**

136.36 **Accede to the Rome Statute of the International Criminal Court to complement national mechanisms and ensure accountability for gross human rights and international humanitarian law violations (Guatemala);**

136.37 **Ratify the UNESCO Convention against Discrimination in Education (Ghana);**

136.38 **Ratify the United Nations Convention against Transnational Organized Crime and its three Additional Protocols (Portugal);**

136.39 **Ensure a successful completion and adoption of a Federal Constitution in line with the Federal Government's agenda and Vision 2016 (Nigeria);**

136.40 **Adopt early the Constitution and the draft laws in the process of enactment, in line with "Vision 2016" programme proposed by the Government (Nicaragua);**

136.41 **Finalize the new draft Constitution by continuing to adopt an inclusive approach (Senegal);**

136.42 **Finalize and adopt the Federal Constitution, without delay, in coordination with the Federal Government, regional administrations, civil society and the Somali public (Lithuania);**

136.43 **Include women, minorities and persons with disabilities in participation in the constitutional referendum, and elections (Lithuania);**

136.44 **Ensure the right to freedom of expression in the soon to be reviewed provisional constitution and in its federal and regional media legislation (Finland);**

136.45 **Give high priority to the drafting and implementation of a new Penal Code and a new Penal Procedural Code which would include provisions to prohibit discrimination against women, minorities and displaced persons in all its forms; provisions to facilitate access to justice for all citizens; and which excludes the death penalty (Netherlands);**

136.46 **Combat piracy by enacting a legislation prohibiting ransoms to pirates for releasing hostages (Democratic Republic of the Congo);**

136.47 **Continue efforts to consolidate the national framework for protection of human rights (Morocco);**

136.48 **Continue to strengthen the national dialogue through an inclusive and collaborative process (Nicaragua);**

136.49 **Work towards strengthening the national reconciliation in order to bring the country out of the cycle of violence (Senegal);**

136.50 **Strengthen its cooperation with the international community and accelerate the establishment of democracy and the rule of law (Japan);**

136.51 **Establish a national human rights institution in line with the Paris Principles (Malaysia);**

136.52 **Establish a National Human Rights Institution in full compliance with the Paris Principles as a matter of priority (Australia);**

136.53 **Step up the process of establishing a national human rights commission in line with the Paris Principles (Burundi);**

136.54 **Expedite its efforts to establish the National Human Rights Institution, in line with the Paris Principles and with full participation of the civil society (Indonesia);**

136.55 **Ensure that the establishment of the Independent Human Rights Commission Bill is Paris Principle compliant and that the establishment is in line with a transparent and inclusive nomination and appointment process (Sweden);**

136.56 **Take full and effective advantage of technical assistance provided by the international community in the field of training and capacity building of national institutions for the promotion and protection of human rights (Qatar);**

136.57 **Reinforce government control over the activities and personnel of private military and/or security companies, in order to strengthen the rule of law and respect for human rights by all relevant actors (Brazil);**

136.58 **Undertake specific legal reforms for the promotion of non-discrimination and gender equality (Greece);**

136.59 **Intensify efforts in enacting and strengthening appropriate legal framework, which will address gender inequalities, sexual violence and protection of women's rights (Nigeria);**

136.60 **Intensify its effort in the promotion and protection of the rights of women by, inter alia, ratifying the Convention on the Elimination of All Forms of Discrimination against Women, revising discriminatory legal provisions and effectively enforcing its law to fight against gender-based violence (Thailand);**

136.61 **Reform its legislation in view of promoting non-discrimination and equality between men and women within marriage and for rights of women in case of dissolution of marriage (Madagascar);**

136.62 **Take clear steps to ensure that Somali security forces (and militias under its purview) comply with international human rights law and international humanitarian law, including by integrating human rights training into security sector reform programmes (Canada);**

136.63 **Consider placing a moratorium on the death penalty (South Africa);**

136.64 **Declare a moratorium on the death penalty (Costa Rica);**

136.65 **Establish a moratorium in view of abolishing the death penalty (Greece);**

136.66 **Introduce a moratorium on capital executions, with a view to abolish the death penalty (Italy);**

136.67 **Establish a moratorium on the death penalty, in view of its definitive abolition (France);**

136.68 **Establish immediately an official moratorium on executions with a view to abolishing the death penalty (Austria);**

136.69 **Establish a moratorium on the death penalty with a view to its abolishing in the shortest delay (Lithuania);**

136.70 **Adopt a moratorium on the death penalty and commute capital punishment to alternative penalties (Switzerland);**

136.71 **Establish a formal moratorium on the death penalty with a view to ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Australia);**

136.72 **Establish and respect a moratorium on the application of the death penalty in Somalia, in accordance with its 2011 universal periodic review commitment (Canada);**

136.73 **Prohibit the application of the death penalty, life imprisonment and corporal punishment on offences committed by minors (Mexico);**

136.74 **Take measures to counteract serious violations and abuse of the human rights of women and girls, including early forced marriage and FGM (Japan);**

136.75 **Implement the action plan against sexual violence against women and adopt measures to further criminalize female genital mutilation (Spain);**

136.76 **Step up efforts to prevent all forms of violence against women, including sexual abuse and domestic violence by finally adopting a comprehensive National Action Plan to punish perpetrators and provide assistance and recovery for victims as well as eradicate harmful traditions such as FGM (Republic of Korea);**

136.77 **Enhance efforts to ensure effective implementation of international commitments and existing legislation to prevent and combat all forms of violence against women and girls, including sexual abuse and child early and forced marriage. Adopt measures to support victims of sexual abuse and bring perpetrators to justice (Italy);**

136.78 **Enact laws to implement the constitutional prohibition on FGM (Philippines);**

136.79 **Speed up and finalize the process of criminalizing the practice of FGM and take practical steps to eradicate it (Norway);**

136.80 **Abolish in law and practice female genital mutilation, including through the ratification and implementation of the Maputo Protocol (Australia);**

136.81 **Adopt and enact the legislation banning female genital mutilation at the earliest possible stage (Belgium);**

136.82 **Make all necessary efforts to pass legislation prohibiting female genital mutilation within the current year (Uruguay);**

136.83 **Modify the penal code to legally prohibit all forms of FGM. Complement punitive measures with awareness-raising and educational activities. Consider developing an action plan to intensify efforts for the eradication of FGM (Italy);**

136.84 **Prohibit the widespread practice of female genital mutilation/cutting in Somalia, including by amending the penal code to ban the practice and bringing legislation into conformity with Article 15 (4) of the Provisional Constitution (Canada);**

136.85 **Adopt comprehensive policies abolishing child, early and forced marriage (Sierra Leone);**

136.86 **Take necessary measures to reduce child marriage, particularly the prohibition of forced marriage of girls (Mexico);**

136.87 **Implement the legislation to prevent and repress marriages between minors by fixing the legal age for marriage at 18 for men and women (Madagascar);**

136.88 **Adopt concrete measures to end, as a matter of priority, the enrolment of children in armed forces, including ratifying and implementing the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (Czech Republic);**

136.89 **Take further steps to protect children, including by implementing the 2014 Child Protection Act and finalizing the ratification of the Convention on the Rights of the Child, taking steps to ratify its Optional Protocol on the involvement of children in armed conflict, and by implementing the 2012 action plans to prevent the recruitment and use of child soldiers by the Somali National Army and allied militias (Canada);**

136.90 **Make further efforts to strengthen the legal framework in the areas of security and law enforcement as well as ensure that the judiciary is guided by international human rights law with a particular focus on the importance of an impartial and independent judicial system (Republic of Korea);**

136.91 **Continue strengthening the legal framework and building institutions in the area of security, law enforcement, and judiciary, in accordance with the rights-based approach and not bringing civilians before military courts (State of Palestine);**

136.92 **Put an end to the trials of civilians by military tribunals (France);**

136.93 **Ensure the prompt, impartial and effective investigation of all attacks and violence against journalists to bring the perpetrators to justice and provide remedies for the victims and their families and, to reform the Penal Code to bring it in line with international standards on freedom of expression (Latvia);**

136.94 **Deepen measures to ensure the fight against impunity for perpetrators of acts of violence and of all human rights violations (Argentina);**

136.95 **Address widespread impunity — including for attacks against journalists, civil society and human rights defenders, women and LGBTI persons — by conducting timely and impartial investigations, investigating threats of violence, and prosecuting perpetrators (Canada);**

136.96 **Ensure the protection of the human rights of journalists and human rights defenders and guarantee that perpetrators of violations against human rights defenders be brought to justice (Switzerland);**

136.97 **Establish clear vetting procedures to identify and prosecute individuals responsible for serious abuses of human rights such as torture, extrajudicial killings, recruitment of children and sexual violence – including during recruitment and integration of new forces into the SNAF (Germany);**

136.98 **Prioritize the investigation and prosecution of senior political and military leaders with command responsibility for violations of international human rights law and ensure civilian oversight of the Federal Government of Somalia security forces (Sweden);**

136.99 **Investigate in a prompt, transparent and impartial manner allegations of violations of international law and human rights by armed and**

security forces and establish procedures for verification and oversight to ensure that perpetrators of grave violations are removed from these forces (France);

136.100 **Ensure that war crimes and crimes against humanity are punished by acceding to the Rome Statute establishing the ICC (Democratic Republic of the Congo);**

136.101 **Step up efforts to ensure accountability and fight impunity and, among other steps in this regard, ratify the Rome Statute of the ICC and the Agreement on Privileges and Immunities of the ICC (Czech Republic);**

136.102 **Ensure that national security shall be pursued in full compliance with international human rights obligations, including the right to a fair trial, the rights to information, freedom of assembly and association and freedom of expression (Norway);**

136.103 **Provide greater freedom to journalism (Iraq);**

136.104 **Put an end to the restrictions on freedom of expression, including arrest of journalists and human rights activists (Portugal);**

136.105 **Release all media workers and human rights defenders arrested and detained for their human rights activities and allow the reopening of closed media outlets (Austria);**

136.106 **Take concrete measures ensuring the freedom of expression, independence of the media, protection of journalists, and adopt legislative and other measures to prevent censorship (Czech Republic);**

136.107 **Fully guarantee freedom of expression and the press, in particular by conducting credible and effective investigations into allegations of detentions, harassment and abuses against journalists in Somalia (Spain);**

136.108 **Secure the defence of journalists, media personnel and media company owners against attacks and prosecute those responsible for such attempts, and adopt an information law (Estonia);**

136.109 **Ensure that the new Media Law is in line with international standards (Luxembourg);**

136.110 **Review the media law of 28 December 2015 to ensure compliance with international standards on freedom of expression (Denmark);**

136.111 **Adopt clear by-laws and regulations to the new Media Law clarifying the general clauses for the benefit of the journalists instead of further reducing the space of free media (Germany);**

136.112 **Implement legislative instruments in a manner that ensures full freedom of expression, leading to active and genuine civil society participation in the electoral and state-building processes (United Kingdom of Great Britain and Northern Ireland);**

136.113 **That the Federal Government at the highest level ensure strong public statements recognizing the legitimate and important role of journalists and human rights defenders in advancing human rights and inclusive politics (Norway);**

136.114 **Ensure that the National Intelligence and Security Agency refrains from detaining journalists, closing media outlets, confiscating media equipment and other law enforcement activities which are beyond its mandate (Netherlands);**

136.115 Hold an on-time electoral process in 2016 that is fair, transparent, and inclusive (United States of America);

136.116 Develop and approve the legal framework allowing to meet the minimum quota for women to sit in the Federal Parliament (Mexico);

136.117 Take all necessary steps to halt all forced evictions in all locations under its control and particularly in Mogadishu (Belgium);

136.118 Allocate adequate resources for ensuring access to safe drinking water and sanitation, to proper health care services for women and children, as well as to affordable and satisfactory education (Ukraine);

136.119 Ensure equal access to education for girls and children living in the rural areas, including by adopting concrete measures to eliminate early marriages, FGM and other gender discriminative practices which hinder the education of girls (Slovenia);

136.120 Adopt an anti-terrorism law compliant with international standards (Ukraine);

136.121 Accelerate the adoption of the pending bills, particularly those related to fight against the phenomenon of money laundering and terrorism in order to establish an appropriate legal framework for combating terrorism (Mauritania).

137. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

Annex

Composition of the delegation

The delegation of Somalia was headed by H.E. Mme Zahra Ali Samantar, Minister of Women, Human Rights and Social Development, and composed of the following members:

- H.E. Mr. Ahmed Ali Dahir, Attorney General
- H.E. Mme Faduma Abdullahi Mohamud, Ambassador Extraordinary and Plenipotentiary, Permanent Representative, Geneva
- Mr. Mohamed Omar Nur, Director General, Ministry of Women, Human Rights and Social Development
- Mr. Mohamed Elmi, Human Rights Adviser, Ministry of Women, Human Rights and Social Development
- Mr. Mohamed Shire, Strategic Policy Adviser, Ministry of Women, Human Rights and Social Development
- Ms. Farhia Mumin, Technical Adviser, Office of the Deputy Prime Minister
- Mr. Mohamed Ali Jama, Director General, Ministry of Internal Security